The Ombudsman, Hong Kong

香 港 申 诉 专 员

2022/23

Annual Report 年报



POSITIVE COMPLAINT CULTURE FOR BETTER ADMINISTRATION

正 面 看 投 诉 共 建 好 制 度

本年度 主要统计数字
KEY FIGURES OF THE YEAR



接到的投诉
Complaints received

5,357

77.5%
透过电子方式／传真
by **electronic means/fax**

11%
透过邮件
by **post**

8.4%
亲临本署
in **person**

3.1%
致电本署
by **phone**

已完成的投诉个案
Complaints completed

5,323

2,765
经评审并终结
Closed after **assessment**

2,112
经查讯后终结
Concluded by **inquiry**

141
经全面调查后终结
Concluded by **full investigation**

305
经调解后终结
Resolved by **mediation**

投诉个案因本署职权范围所限
经初步评审后于**15个工作天**内终结
Complaints closed within **15 working days** after initial assessment due to jurisdictional restrictions

目标 Target: 99%

100%

个案于**3个月**内终结
Complaints concluded within **3 months**

目标 Target: 80%

86.8%

个案于**6个月**内终结
Complaints concluded within **6 months**

目标 Target: 99%

99.4%

已完成的**主动调查**
Direct Investigations completed

9

71

已完成的与**公开资料**有关的个案
Cases related to **access to information** completed

提出的**建议**
Recommendations given

211

接到的**查询**
Enquiries received

9,279

理想
VISION

确保香港的公共行政公平和有效率，兼且问责开明，服务优良。

To ensure that Hong Kong is served by a fair and efficient public administration which is committed to accountability, openness and quality of service

使命
MISSION

透过独立、客观及公正的调查，处理及解决因公营机构行政失当而引起的不满和问题，以及提高公共行政的质素和水平，并促进行政公平。

Through independent, objective and impartial investigation, to redress grievances and address issues arising from maladministration in the public sector and bring about improvement in the quality and standard of and promote fairness in public administration

信念
VALUES

- 以公正客观的态度进行调查
- 勇于承担责任，为市民和在本署职权管辖范围内的机构提供便捷的服务
- 对市民和机构尊重有礼
- 维持专业水平，切实履行本署各项职能

- Maintaining impartiality and objectivity in our investigations
- Making ourselves accessible and accountable to the public and organisations under our jurisdiction
- According the public and organisations courtesy and respect
- Upholding professionalism in the performance of our functions

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大事纪要
History in Brief

1988

7月20日
立法局通过《行政事务申诉专员条例草案》

20 July
The Commissioner for Administrative Complaints ("COMAC") Bill was passed by the Legislative Council ("LegCo")

1989



第一任行政事务申诉专员
贾施雅先生，JP
First Commissioner
Mr Arthur Garcia, JP

2月1日
- 制定《行政事务申诉专员条例》
- 第一任行政事务申诉专员贾施雅先生，JP履新

1 February
- The COMAC Ordinance was enacted
- First Commissioner Mr Arthur Garcia, JP assumed office

3月1日
行政事务申诉专员公署正式运作，政府借调公务员到本署任职

1 March
The Office of COMAC became operational with staff seconded from Government

1993

7月21日
完成有关的法例检讨，《行政事务申诉专员（修订）条例草案》提交立法局审议

21 July
Legislative review completed, the COMAC (Amendment) Bill was introduced into LegCo



第二任行政事务申诉专员
苏国荣先生，SBS, OBE, JP
Second Commissioner
Mr Andrew So, SBS, OBE, JP

1994

2月1日
第二任行政事务申诉专员苏国荣先生，SBS, OBE, JP履新

1 February
Second Commissioner Mr Andrew So, SBS, OBE, JP assumed office

6月24日
《行政事务申诉专员条例》的修订获通过：
- 让市民可以直接向专员提出投诉，无须经由立法局议员转介
- 把一些主要的法定组织纳入职权范围
- 授权专员以不披露个案所涉人士身份的方式公布调查报告
- 授权专员展开主动调查

24 June
The COMAC Ordinance was amended:
- to enable the public to lodge complaints directly, instead of by referral from LegCo Members
- to extend the jurisdiction to some major statutory bodies
- to empower the Commissioner to publish anonymised investigation reports
- to empower the Commissioner to initiate direct investigation

6月30日
委任顾问，向本署提供专业意见

30 June
Advisers were appointed to provide expert advice and professional opinion

7月1日
「行政事务申诉专员」及「行政事务申诉专员公署」的中文名称分别改为「申诉专员」及「申诉专员公署」

1 July
Chinese title of the Commissioner was changed to 「申诉专员」 and the Office to 「申诉专员公署」

1995

3月1日
扩大职权范围，让申诉专员可以就涉嫌违反《公开资料守则》的投诉展开调查

1 March
Jurisdiction was extended to investigation into alleged breach of Code on Access to Information

1996

3月1日
邀请非官守太平绅士参加「太平绅士协助推广计划」

1 March
Non-official Justices of the Peace ("JPs") were enlisted in a JPs Assistance Scheme

12月27日
「申诉专员」及「申诉专员公署」的英文名称分别改为「The Ombudsman」及「Office of The Ombudsman」

27 December
English titles were changed to "The Ombudsman" and "Office of The Ombudsman"

1997

4月1日
推出调解服务，作为另类排解纠纷的方法

1 April
Mediation service was launched as an alternative dispute resolution method

7月25日
设立申诉专员嘉许奖，表扬以正面和积极的态度处理投诉的公营机构

25 July
The Ombudsman's Awards were introduced to acknowledge public organisations handling complaints positively

1999

4月1日
第三任申诉专员戴婉莹女士，GBS, OBE, JP履新

1 April
Third Ombudsman Ms Alice Tai, GBS, OBE, JP assumed office

7月22日
扩大申诉专员嘉许奖计划，增设奖项，以表扬在提高服务质素方面有出色表现的公职人员

22 July
The Ombudsman's Awards were extended to acknowledge public officers' contribution towards better quality services



第三任申诉专员
戴婉莹女士，GBS, OBE, JP
Third Ombudsman
Ms Alice Tai, GBS, OBE, JP

2001

3月28日
推出电话投诉服务

28 March
Telephone complaint service was introduced

12月19日
《2001年申诉专员（修订）条例》生效：
- 确立申诉专员为单一法团，可全权处理本身的财务及行政事宜
- 授权申诉专员订定属下人员的聘用条款及条件
- 采纳有别于政府的制度和运作程序

19 December
The Ombudsman (Amendment) Ordinance 2001 came into operation:
- to establish The Ombudsman as a corporation sole with full powers to conduct financial and administrative matters
- to empower The Ombudsman to set terms and conditions of appointment for staff
- to adopt systems and processes separate from Government

2002

9月6日
迁到位于上环信德中心的永久办公地方

6 September
Office moved to permanent accommodation at Shun Tak Centre in Sheung Wan



上环信德中心
Shun Tak Centre

2004

4月1日
戴婉莹女士，GBS, OBE, JP连任申诉专员，开始新的五年任期（2004至2009年）

1 April
Ms Alice Tai, GBS, OBE, JP started her second term (2004 – 2009) as The Ombudsman

2005

10月24日
行政署长与申诉专员签署行政安排备忘录，订明规管本署各项行政安排，以及本署与政府的工作关系的一般准则和指引

24 October
A "Memorandum of Administrative Arrangements" ("MAA") was signed between the Director of Administration and The Ombudsman to set out the general principles and guidelines governing the administrative arrangements for this Office and working relationship with Government



签署行政安排备忘录
Signing of MAA

2009

4月1日
第四任申诉专员
黎年先生，GBS, JP履新

1 April
Fourth Ombudsman
Mr Alan Lai Nin, GBS, JP
assumed office



第四任申诉专员
黎年先生，GBS, JP
Fourth Ombudsman
Mr Alan Lai Nin, GBS, JP



第五任申诉专员
刘燕卿女士，SBS, JP
Fifth Ombudsman
Ms Connie Lau, SBS, JP

2014

4月1日
第五任申诉专员
刘燕卿女士，SBS, JP履新

1 April
Fifth Ombudsman
Ms Connie Lau, SBS, JP
assumed Office



第六任申诉专员
赵慧贤女士，PDSM, PMSM
Sixth Ombudsman
Ms Winnie Chiu, PDSM, PMSM

2019

4月1日
第六任申诉专员
赵慧贤女士，PDSM, PMSM履新

1 April
Sixth Ombudsman
Ms Winnie Chiu, PDSM, PMSM
assumed Office

申诉专员绪言
The Ombudsman's Review



2019冠状病毒病疫情从高峰回落，为防疫抗疫措施的陆续解除掀开序幕。新一届政府勾划出公共服务复常和经济重拾活力的轨迹。过去一年，凭藉公署上下努力不懈，我们为市民提供了从无间断的服务。在年内我们接到5,357宗投诉，完成了5,323宗个案，并达到服务承诺下的各项指标。

The COVID-19 pandemic has spiked and receded, rendering gradual lifting of pandemic-related restrictions possible. The new term Government plotted a trajectory allowing public services and economic activities to revive and thrive. In the year, my Office has maintained uninterrupted public access to our services – thanks to our dedicated staff. We have met all targets of performance as pledged, out of 5,357 complaints received and 5,323 complaints concluded in the year.

在疫情回落前，香港遭遇了第五波疫情，面对前所未有的重击，政府须持续调整抗疫措施，亦因而触发了林林总总的投诉。课题遍及疫苗接种、病毒检测、检疫和隔离安排，以至各项缓解措施。投诉事项包括当局签发命令或发放津贴出错及延误、提供的资料欠详尽及沟通不足、订立不合理的限制、防疫设施和外勤行动管理不善等。此外，亦有投诉是源于当局在疫情期间，中断某些公共服务的特别安排。不少投诉是有关当局未有回复、行动延误、讯息混乱及服务水平下降。上一期年报已提到市民在前几波疫情，投诉政府部门回应缓慢、安排混乱、欠缺规划、协调和沟通不足。大众均期望政府已从前几波疫情汲取经验，难免会对这些问题包容度下降，加上对复常的渴求，市民的耐性更形消耗殆尽。更多人会因而选择向公署申诉不满，令年

Before the pandemic subsided, Hong Kong was hit by a fifth wave, the worst so far. The Government has to constantly adjust its measures to combat the pandemic triggering complaints touching on a wide range of subjects such as vaccination and testing, quarantine and isolation as well as various relief schemes. The allegations included errors and delays in orders issued or funds released, inadequate information and communication, irrational restrictions, poor management of facilities and field operations. There were also complaints arising from disruption of public services caused by special arrangements during the pandemic. Lack of replies, delay in action, confusing messages and drop in service quality were common contentions. As pointed out by my report last year, people were then complaining about slow response, confusion, lack of planning, coordination and communication in the earlier waves. Tolerance of the public

度内接到与疫情有关的投诉从去年的206宗飙升至766宗。本年报已收录了部分个案，稍后会有更多已完成的个案上载到公署网页。

seemed to have dwindled as people expected government to have learned from experience. Moreover, patience has worn out as people yearned for return to normality. Consequently, more have taken their grievances to our Office and pandemic-related complaints have seen a hike, from 206 last year to 766 this year. This report contains a sample of the cases we handled and more will be uploaded to our website as they are completed.

我们继续努力以调解方式解决涉及轻微行政失当的投诉，而调解特别适用于某类由疫情触发的个案。年内，我们成功调解的个案为305宗，刷新历来记录。与此同时，我们亦不遗余力对合适的个案展开全面调查，终结的个案数目较去年增加53%，至共141宗。连同已完成的九项主动调查，公署提出了共211项改善建议，藉以改善行政公平和效率，以及设法解决行政体制上的流弊。我们的工作不会随着完成调查而止息，而是持续监察有关部门如何落实建议，以至取得实质改善。

We continue to endeavour to resolve complaints of minor maladministration through mediation, which is particularly suitable for certain pandemic-related cases. We have successfully mediated 305 complaints, which is a record high. Meanwhile, our Office has spared no effort in probing complaints where warranted by launching full investigations, and has concluded 141 cases, 53% up from last year. Coupled with the nine direct investigations completed, we have made a total of 211 recommendations in a bid to improve administrative fairness and efficiency, and to address systemic flaws. Our work does not end with completion of an investigation. Where recommendations are made, we monitor implementation by the departments concerned so that substantive improvement will be achieved.

> 公署作为独立法定机构，一向不偏不倚、客观地处理投诉，而我们的调查结果完全是建基于事实。
>
> As an independent statutory organisation, our Office has been handling complaints objectively and impartially, and our findings are entirely evidence-based.

至于涉及《公开资料守则》（「《守则》」）的投诉，公署会担当独立仲裁员的角色，判断部门有否按照《守则》处理索取资料的要求。与公开资料有关的投诉于2020/21年度到达高峰，之后回落至本年度录得67宗相对低的水平。尽管索取资料要求按年增加，但根据政府统计数字，截至2022年第二季度，政府部门及公营机构因应要求而披露所有或部分资料的个案达96.9%，拒绝披露资料的个案则一直只占少数。事实上，只有小部分申请人在索取资料要求被拒绝后向公署投诉。由此可合理推断，政府决策局及部门对《守则》的应用已更为娴熟。当然，维持资讯透明是开明、问责和公平的公共行政的重要元素。

For complaints involving the Code on Access to Information, the role of our Office is an independent adjudicator on whether a department has acted in compliance with the Code in handling requests for information. This year, complaints related to access to information amounted to 67, a relatively low figure since the spike in 2020/21. Government statistics show that compliance by full or partial disclosure of information up to the second quarter of 2022 is 96.9% with refused requests staying at relatively low levels, despite the year-on-year increases in information requests. In fact, only a small portion of refused requests have ended up as complaints to our Office. A reasonable inference is Government bureaux/departments have become more conversant with the application of the Code. Needless to say, transparency of information is fundamental to an accountable, open and fair public administration.

公众对于能推出果断措施的新政府，自然翘首以待。政府当局决心要解决老、大、难的问题，同时又强调以结果为目标，自然会提高市民的期望，且成为部分投诉人要求更优质公共服务的凭据。我们在调查时，留意到政府的努力已渐见成果，例如在打击阻街及店铺扩展营业范围等方面的成效，实在令人欣慰。我们亦乐见公署在主动调查提出的建议，部分已纳入政府的策略中。

It is understandable that a new Government with bold initiatives would heighten public expectation. A pronounced commitment to tackle long-standing, big and difficult problems and an emphasis on results have raised the bar and have been cited by some complainants in their demand for better quality in public services. It is heartening to note from our investigations that the Government's endeavours in this regard are starting to bear fruit in some areas such as street obstruction and shopfront extension. It is also encouraging that some of our recommendations in direct investigations have materialised into the Government strategies.

我必须一再强调，公署作为独立法定机构，一向不偏不倚、客观地处理投诉，而我们的调查结果完全是建基于事实。尽管如此，仍会有投诉人不满调查结果，要求公署重新评审或覆核其个案。投诉人亦可能会循法律途径挑战调查结果。在本年度，公署重新评审及覆核的个案进一步下调至283和103宗，就调查结果或公署处理投诉的程序提出的司法覆核申请则有两宗。此外，我们间或收到市民对公署职员的投诉。公署上下一直秉持最高的专业精神，正如公署的宣传口号 — 正面看投诉、共建好制度。我们重视每个由市民提出，可提升服务质量的机会。

I cannot stress enough that as an independent statutory organisation, our Office has been handling complaints objectively and impartially, and our findings are entirely evidence-based. This notwithstanding, complainants may remain dissatisfied with our findings, and resort to re-assessment or review depending on the circumstance. They may also challenge my decisions by legal means. In the year, re-assessments and reviews have further declined to 283 and 103 respectively, while two applications for judicial review against my decision or the procedure of complaint handling have been recorded. At times, there are also complaints against our staff. Whilst upholding the highest standard of professionalism, we cherish every opportunity to review the issues raised and seek to improve efficiency and quality continuously, just like our mantra – positive complaint culture for better administration.

公署为日后发展所订定的五年策略计划在去年进展良好。我们与持份者的协作已重新启动。除了每年的申诉专员嘉许奖颁奖典礼，我们亦恢复亲身参与海外会议和研讨会、举办为太平绅士及顾问而设的专题研讨会。为推动公众教育和外展工作，公署更新了不同的传讯资料，当中包括新推出的机构宣传片和网页。我们亦专注学校推广讲座，期望往后获得更多收成。公署将于下年度增设覆核个案的服务承诺，以持续改善服务。同时，培训人才和数码化运作一如筹划般推进以强化机构，应付日后的挑战。

For organisational development, our five-year Strategic Plan has gone past another year with good progress. Stakeholder engagement has warmed up again. The annual Ombudsman's Awards Presentation Ceremony aside, in-person attendance at overseas conferences and meetings, including the Seminar for the Justices of the Peace and Advisers have resumed. A refreshed communication package including corporate videos and corporate website is now ready to support educational and outreaching endeavours. Our outreach talks to schools is an area that we are focusing on and hopefully will bear more fruits in the years to come. New performance pledges for review cases will take effect next year for continuous service enhancement. Staff development and digitisation of operations have trended as planned for capacity building to meet future needs.

展望未来，我会连同公署上下，与各持份者携手协力，继续用心服务市民，共建公平高效、切合社会需要的公共行政。

Down the road, I, together with my dedicated staff and in collaboration with stakeholders, shall continue to serve the community with heart, and work towards a fair and efficient public administration meeting societal needs.

赵慧贤
申诉专员
2023年3月31日

Winnie Chiu
The Ombudsman
31 March 2023

首长级人员
Directorate

谢绮雯女士
Ms Sara Tse
助理申诉专员
Assistant Ombudsman

翟瑞恒先生
Mr SH Chak
助理申诉专员
Assistant Ombudsman



苏锦成先生
Mr KS So
副申诉专员
Deputy Ombudsman

赵慧贤女士
Ms Winnie Chiu
申诉专员
The Ombudsman



章节
CHAPTERS



职能及权力
Functions and Powers

本署的角色

申诉专员公署根据香港法例第397章《申诉专员条例》（「《条例》」）成立，是专责监察香港的公共行政的独立法定机构，角色包括：

- 调查有关行政失当的投诉
- 辨识行政体制上的不足之处
- 建议补救和改善措施，以解决市民的不满，并改善公共行政

Who we are

Established under The Ombudsman Ordinance ("the Ordinance"), Cap. 397 of the Laws of Hong Kong, we serve as the community's independent watchdog of public administration. We:

- investigate complaints of maladministration
- identify administrative deficiencies
- recommend remedial measures to redress grievances and improve public administration

本署的职能

调查投诉事宜

调查由受屈人士提出，有关行政失当（包括违反《公开资料守则》（「《守则》」））的投诉。

主动调查

就涉及行政体制上的流弊或重大公众利益的行政失当问题，进行主动调查。

调查对象限于《条例》附表1第1部及第2部所列的政府部门及公营机构。

（所列机构，参见**附录1**）

What we do

Investigate COMPLAINTS

from aggrieved persons about maladministration (including non-compliance with the Code on Access to Information ("the Code"))

Conduct DIRECT INVESTIGATIONS

into areas of suspected maladministration involving systemic problems or issues of significant public interest

by Government departments and public organisations listed in Part 1 and Part 2 of Schedule 1 to the Ordinance.

(See **Appendix 1** for full list)

不受本署调查的事宜

What we cannot investigate

- 投诉所涉机构不在《条例》附表1之列（如选举管理委员会、城市规划委员会、区议会等）。
- 投诉所涉机构列于《条例》附表1第2部（如香港警务处、廉政公署等）但投诉事项与《守则》无关。
- 与以下行动有关的投诉

- complaints against organisations not listed in Schedule 1 to the Ordinance (e.g. Electoral Affairs Commission, Town Planning Board, District Councils, etc.)
- complaints against organisations listed in Part 2 of Schedule 1 to the Ordinance (e.g. Police, ICAC, etc.) about matters unrelated to the Code
- complaints relating to

法律程序或检控任何人的决定 legal proceedings or prosecution decisions	合约或商业交易 contractual or other commercial transactions
人事方面的事宜 personnel matters	施加或更改土地权益条款的决定 impositions or variations of conditions of land grant

（所有不受调查的行动，参见**附录2**）

(See **Appendix 2** for full list)

本署不予跟进的投诉个案

We cannot pursue a case if

投诉人对所投诉的事情已知悉超过两年 the complainant has had knowledge of the subject of complaint for over two years	投诉人没有透露姓名、身份无从识别或下落不明 the complainant is anonymous, unidentifiable or untraceable
投诉并非由受屈人士提出 the complaint is not made by the person aggrieved	投诉人有权利根据法律程序（司法覆核除外）提出上诉或寻求补救办法 a statutory right of appeal or remedy by way of legal proceedings (except judicial review) is available to complainant

（有关《条例》列明的限制，参见**附录2**）

(See **Appendix 2** for full list)

涉及调查专业判断的投诉

- 本署不会调查所涉机构纯粹根据其专业判断所作的行动或决定。
- 假如有关行动或决定也牵涉到行政方面，则本署可以调查属于行政范畴的事宜。

What about complaints involving professional judgement?

- Not pursuable if the action or decision is based purely on professional judgement
- Pursuable if the action or decision also involves administrative actions or decisions, in which case the administrative aspect can be investigated

涉及政策事宜的投诉

政策若在制定时通过正式审议和授权的程序，本署一般不会对充分按照有关政策所采取的行动进行调查。

然而，本署若认为某项政策涉及严重的不公，则可以展开调查及促请所涉机构检讨看来不合时宜的政策。

What about policy matters?

We usually do NOT investigate complaints about actions taken fully in line with a policy which is made with proper authority following a due process.

BUT if grave injustice appears to be involved in a policy, we may conduct an investigation and may urge the organisation concerned to conduct a review if the policy appears to be outdated.

本署获赋予的权力

调查
进行查讯、获取资料及文件、传召证人，以及视察被投诉机构的处所。

作出结论及建议
对投诉下结论，并提出建议。

发表报告
向所涉机构的首长报告调查结果；如适宜，亦可向行政长官提交报告。

The powers we have

INVESTIGATION
conduct inquiries, obtain information and documents, summon witnesses and inspect premises of organisations under complaint

CONCLUSION AND RECOMMENDATION
decide on complaints and make recommendations

REPORT
report the results of investigation to the head of organisation concerned or, if appropriate, to the Chief Executive

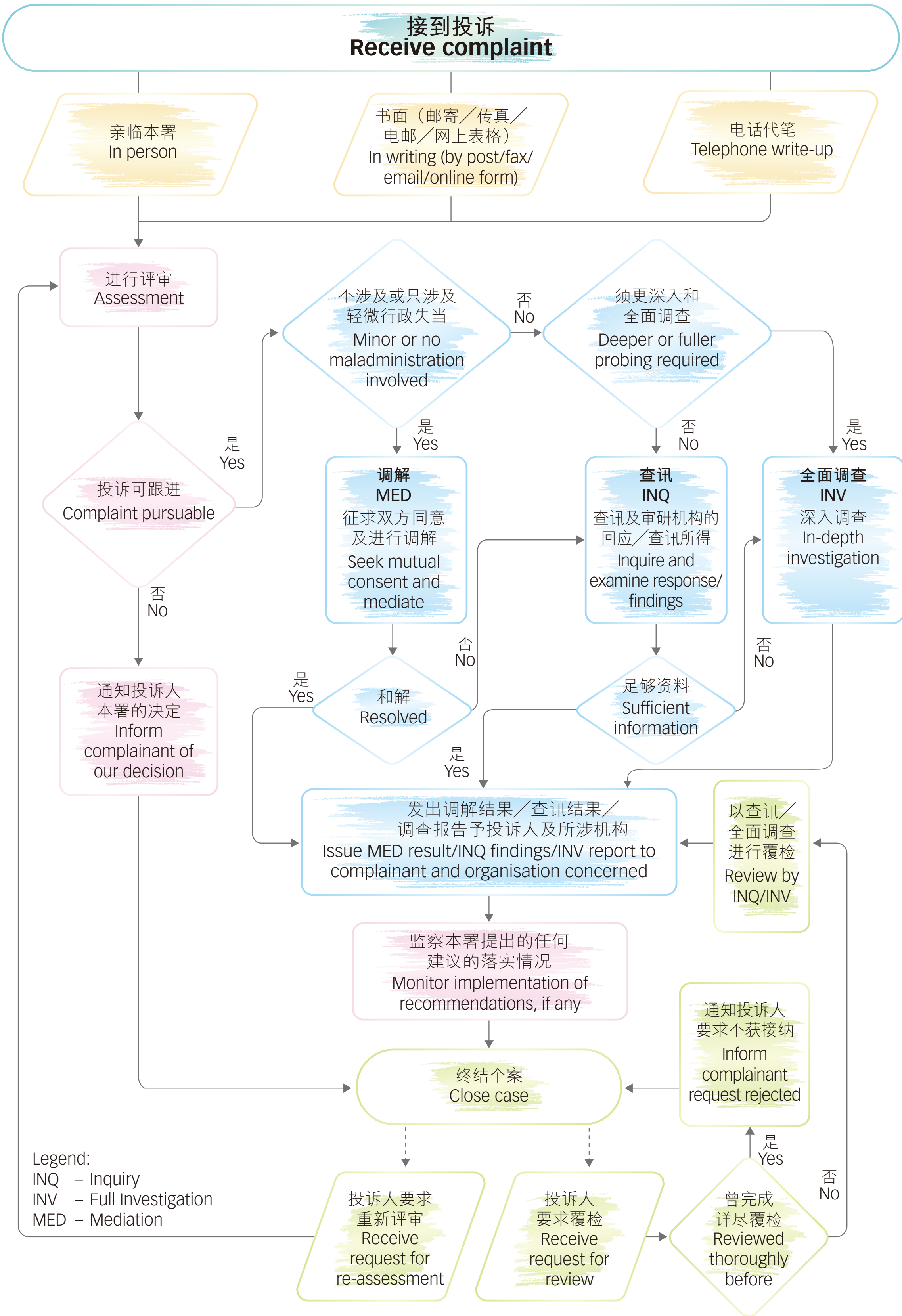
保密规定

- 申诉专员及其属下所有人员，以至于本署的顾问，均须遵守保密条文，不得披露任何有关投诉及调查的资料，否则可判处罚款及监禁。
- 申诉专员可基于公众利益，在不披露所涉人士身份的情况下就任何调查发表报告。

How we maintain secrecy

- The Ombudsman and all her staff and advisers are bound by the Ordinance to maintain secrecy for all matters of any complaint and investigation, and are liable to a fine and imprisonment in case of non-compliance
- The Ombudsman may in the public interest publish a report on any of her investigations without disclosing the names of the persons involved

处理投诉流程图
Flow Chart on Handling of a Complaint



用语词汇

Glossary of Terms

行政失当

行政失当在《申诉专员条例》中已有定义，基本上是指机构行政欠缺效率、拙劣或不妥善，包括不合理的行为；滥用权力或权能；不合理、不公平、欺压、歧视或不当地偏颇的程序及延误；无礼及不为他人着想的行动。

Maladministration

This is defined in The Ombudsman Ordinance. It basically means inefficient, bad or improper administration including unreasonable conduct; abuse of power or authority; unreasonable, unjust, oppressive or improperly discriminatory procedures and delay; discourtesy and lack of consideration for a person.

查询

指市民要求本署提供资料或意见。

Enquiry

An enquiry is a request for information or advice.

投诉

投诉是一项具体指称，投诉人指某些不当行为、不合理行动、不妥善的决定或程序令其受到影响，并感到不满或受屈。

Complaint

A complaint is a specific allegation of wrong doing, unreasonable action or defective decision or procedure which affects and aggrieves the complainant.

同类主题投诉

市民或会就社会上出现的特殊问题或同类的课题而提出投诉，他们主要都是针对被投诉机构所作的某项行动或决定。

Topical Complaints

These are complaints on a particular social or topical issue. They are essentially against the same action or decision by the organisation under complaint.

投诉事项不在本署职权范围内

指《申诉专员条例》订明，申诉专员不得调查的被投诉机构或行动。

Outside Jurisdiction

This refers to the situation where the action or organisation subject to complaint is not within The Ombudsman's jurisdiction under The Ombudsman Ordinance.

受条文所限不进行调查

指基于《申诉专员条例》列明的限制，例如逾期投诉、投诉人无从识别或下落不明、投诉事属微不足道、琐屑无聊或无理取闹等，本署不对投诉进行调查。

Restrictions on Investigation

These are the restrictions on investigation under The Ombudsman Ordinance such as time-barred complaints, unidentifiable or untraceable complainants, trivial, frivolous or vexatious complaints, etc.

投诉已撤回

指投诉人主动撤回所提出的投诉。然而，视乎所指称事项的性质或严重程度，申诉专员仍可能会继续跟进个案。

Withdrawal of Complaint

This is a complainant's voluntary withdrawal of a complaint. However, depending on the nature or gravity of the allegations, The Ombudsman may still pursue the case.

投诉人的同意

投诉人须表明同意申诉专员复制其投诉内容及任何其他资料（包括其个人资料），转交任何有关人士／机构跟进；而任何有关人士／机构可向申诉专员提供投诉人的个人及其他相关资料，以便申诉专员处理其投诉。投诉人亦可表明不同意本署向被投诉机构披露其个人资料。然而，在此情况下，申诉专员可能难以全面地处理其投诉，甚或无法处理。

Consent from Complainant

To facilitate The Ombudsman's handling of a complaint, the complainant is required to give consent for: The Ombudsman to copy his/her complaint and any other information, including his/her personal data, to any party concerned; and any party concerned to provide the complainant's personal and other relevant information to The Ombudsman. The complainant may, by stating his/her wish clearly, withhold consent to the disclosure of his/her personal data to the party under complaint. However, in this circumstance, The Ombudsman may not be able to process the complaint satisfactorily or at all.

调解

指投诉人与被投诉机构在自愿的情况下，藉着获本署授权，且角色中立的调解员的协助，讨论投诉个案，以寻求双方均愿意接受的解决方法。

Mediation

This is a voluntary process carried out where the complainant and the organisation under complaint agree to discuss the complaint through the facilitation of our authorised mediator, who will help explore mutually acceptable solutions impartially.

查讯

是本署跟进一般性质的投诉个案时采用的程序，旨在较迅速地解决投诉事宜。在适当情况下，我们会要求被投诉机构同步回复本署及投诉人。本署会审研有关机构的回复、投诉人对回复的意见，以及任何其他相关资料或本署所搜集的证据。在完成对投诉的查讯后，本署会把结果告知投诉人，如有需要，亦会建议所涉机构采取补救行动或改善措施。若认为有必要更深入及全面地调查投诉事项，我们会展开全面调查。

Inquiry

This is the procedure we use to process general complaint cases, with the aim to resolve complaints more speedily. We ask the organisation under complaint to respond to us and, if we see fit, to the complainant in parallel. We will examine such response, and the complainant's views on it where applicable, together with any other relevant information or evidence we have collected. We will, in conclusion, present our findings to the complainant and make suggestions to the organisation concerned for remedy or improvement where necessary. Where deeper and fuller probing is needed before we can conclude the case, we will launch a full investigation.

全面调查

指深入的查讯，通常就较复杂或性质严重的投诉展开调查。如有需要，本署在完成全面调查后会提出改善建议或补救措施。

Full Investigation

This refers to an in-depth inquiry, usually into complex or serious complaints, with recommendations for improvement or remedy, where warranted, upon conclusion.

成立、部分成立和不成立

均属本署就投诉进行全面调查后所作结论的类别，以反映被投诉机构不同程度的过失。

Substantiated, Partially Substantiated and Unsubstantiated

These are classifications of the outcome of our full investigations reflecting the varying degrees of culpability of an organisation under complaint.

投诉不成立，但机构另有缺失

是本署就投诉进行全面调查后所作结论的类别，以反映投诉人所提出的投诉虽然不成立，但申诉专员却发现所涉机构另有显著的行政失当之处。

未有定论

是本署就投诉或当中某个投诉点进行全面调查后所作结论的类别。申诉专员在完成调查后认为所搜集的证据有矛盾、不一致、不完整或缺乏佐证，故此不拟就投诉或投诉点是否成立而下结论。

Unsubstantiated but other Inadequacies Found

This is the classification of the outcome of our full investigation where a complainant's allegations are unsubstantiated but The Ombudsman discovers other aspects of significant maladministration.

Inconclusive

We classify the outcome of our full investigation into a complaint or allegation as inconclusive where, on completion of the investigation, The Ombudsman is not prepared to determine whether the complaint or allegation is substantiated or not, because the evidence is conflicting, irreconcilable, incomplete or uncorroborated.

主动调查

指尽管没有接到投诉，但本署基于公众利益而决定主动进行的调查。主动调查通常针对某些涉及行政体制的事宜或受市民关注的课题。

Direct Investigation

This is an investigation initiated in the public interest even in the absence of complaint and generally on matters of a systemic nature or issues of community concern.

主动调查
Direct Investigation

申诉专员有权展开主动调查，以探讨某些可能与行政失当有关的问题。这些问题大多涉及行政体制上的流弊或重大的公众利益。广受社会关注的课题，或所接获的投诉反映事情可能涉及严重行政失当，往往会触发我们展开主动调查。

The Ombudsman may, of her own volition, initiate direct investigation ("DI") into areas of suspected maladministration usually involving systemic problems or issues of significant public interest. A DI may be prompted by significant topical issues of community concern or complaints indicative of issues involving serious maladministration.

展开主动调查

在决定是否对某课题展开主动调查之前，本署通常会进行初步查讯。若查讯结果显示有需要作进一步研究，我们会展开主动调查，并正式通知相关机构的首长。视乎情况，我们可无须先进行初步查讯，便直接展开主动调查。

一般而言，如决定就某课题展开主动调查，我们会作公布并征询公众意见。进行主动调查时，本署会按照一贯做法向相关机构索取重要资料，亦会视乎主动调查课题的性质，决定是否邀请相关界别的人士及业内专家提供意见。

在展开主动调查及总结有关调查前，本署通常会与所涉机构的高层人员讨论我们的观察所得及意见。这类交流有助澄清疑问及更深入地探讨问题。

Launching Direct Investigation

Before deciding whether or not to launch a DI into an issue, we usually conduct a preliminary inquiry. If the inquiry points to the need for further study, we will formally notify the head of the organisation concerned of our launch of DI. Where the circumstances warrant, we may launch a DI without conducting a preliminary inquiry.

In general, we will publicly announce our commencement of DI and invite members of the public to provide information and views on the topic under investigation. Apart from seeking crucial information from the organisations concerned like we normally do for complaint investigation, we may, depending on the nature of the subject under study, invite views from relevant sectors and experts.

We often discuss our observations and views with senior officers of the organisation(s) under investigation, at the outset as well as before conclusion. Such exchanges are useful in clarifying points of doubt and furthering insight into the issues.

发表调查报告

申诉专员如认为将主动调查报告公布是符合公众利益的，可在新闻发布会或本署网页上发表报告。

本署的主动调查并非每次都以有关机构有严重行政失当为结论。事实上，部分事涉机构在本署进行调查期间可能已经采取了补救／改善措施。不过，我们相信市民大众仍然希望知道本署已完成的工作和调查所得。故此，本署会以不同形式发表所有主动调查报告。

本年度，本署完成了九项主动调查，当中六项的调查结果已于新闻发布会上公布，其余三项则透过新闻公报发表，而所有主动调查报告均已上载本署网页。在年度内完成的主动调查一览见以下图表。

Publication of Reports

If The Ombudsman considers it to be in the public interest to publish a report on a DI, she may announce the findings at media conferences or on our website.

Naturally, DIs may not all come to a conclusion that there is serious maladministration on the part of the organisation(s) concerned, and some organisations may have taken remedial/improvement measures in the course of our investigation. Nevertheless, the public would still wish to know what we have done and what we have found. Hence, all our DI reports are published in one way or another.

During the year we completed nine DIs, with six reports publicly announced at press conferences and the rest through press releases. The reports of all DIs were uploaded to our website. A full list of DIs completed during the year is in the table below.

在2022/2023年度， In 2022/2023,

本署完成了：
We completed:

9
项主动调查
DIRECT INVESTIGATIONS

本署提出了：
We made:

86
项建议
RECOMMENDATIONS

DI/444	废物分类回收桶的管理和成效	Management and Effectiveness of Waste Separation Bins
DI/446	食物环境卫生署执行防治鼠患工作成效	Effectiveness of Rodent Prevention and Control by Food and Environmental Hygiene Department
DI/449	民航处对滑翔伞活动的规管	Civil Aviation Department’s Regulation of Paragliding Activities
DI/451	政府土地上弃置车辆的问题	Problem of Abandoned Vehicles on Government Land
DI/452	政府对新界豁免管制屋宇违例建筑工程所采取的执管行动	Government’s Enforcement against Unauthorised Building Works in New Territories Exempted Houses
DI/453	船只涉嫌违规经营街渡服务的问题	Problem of Alleged Illegal Operation of Kaito Ferry Service
DI/454	太平绅士巡视计划下法定巡视的运作安排	Operational Arrangements for Statutory Visits under Justices of the Peace Visit Programme
DI/455	政府对货物及杂物非法霸占或阻碍街道的规管	Government’s Regulation of Illegal Occupation or Obstruction of Streets by Goods and Miscellaneous Articles
DI/460	康乐及文化事务署公共图书馆电子书借阅服务	E-book Lending Service of Public Libraries under Leisure and Cultural Services Department

各报告全文可于本署网页浏览
All the full reports are available on our website
www.ombudsman.hk

中文 ENG

主动调查报告摘要

Case Synopses

环境保护署
Environmental Protection Department



个案编号： Case No.:	DI/444
完成日期： Completed on	2022年4月26日 26 April 2022

废物分类回收桶的管理和成效

本署调查所得

政府自1998年起设置收集废纸、铝罐及胶樽的废物分类回收桶（俗称「三色桶」，以下简称「回收桶」），鼓励市民参与减废及回收。

本署的调查发现，环境保护署（「环保署」）自2020年10月1日起从食物环境卫生署接管公共空间回收桶的管理工作后，作出了多项改善措施，亦加强对承办商的监管，其管理情况有初步改善，该署的努力值得肯定。另一方面，公共空间回收桶的标示及环保署的流动应用程式「咪嘥嘢」内的资讯有可改善之处。

本署的建议

申诉专员向环保署提出了六项改善建议，包括检视公共空间回收桶的标示；适时更新流动应用程式「咪嘥嘢」内有关公共空间回收桶的资讯；继续加强与其他管理回收桶的政府部门的协作；定期发布公共空间回收桶的运作数据；持续加强宣传教育；以及就公共空间回收桶的政策定位订下检讨时间表，以决定其未来路向。

Management and Effectiveness of Waste Separation Bins

Our findings

Since 1998, the Government has provided waste separation bins (commonly known as "three-colour recycling bins" and hereafter "recycling bins") for collection of waste paper, aluminium cans and plastic bottles, thereby encouraging the public to participate in waste reduction and recycling.

Our investigation revealed that the Environmental Protection Department ("EPD"), after taking over the management of recycling bins in public places from the Food and Environmental Hygiene Department on 1 October 2020, had implemented a number of improvement measures and stepped up the monitoring of the contractor, with initial improvements in their management. We found the efforts of EPD commendable. Meanwhile, our investigation identified areas for improvement in the labels on recycling bins in public places and information on the "Waste Less" mobile application of EPD.

Our recommendations

The Ombudsman made six recommendations to EPD, including that it should review the labels on recycling bins in public places; update the information about recycling bins in public places in the "Waste Less" mobile application in a timely manner; continue strengthening collaboration with other departments responsible for recycling bin management; release data on the operation of recycling bins in public places regularly; continue stepping up publicity and education; and work out a schedule to review the policy positioning of recycling bins in public places for deciding on the way forward.

食物环境卫生署
Food and Environmental Hygiene Department



食物环境卫生署执行防治鼠患工作成效

本署调查所得

鼠患对市民日常生活造成滋扰，亦可能传播多种严重疾病，故广受社会关注。

食物环境卫生署（「食环署」）负责应对一般公众地方的鼠患问题，亦为管理不同公共场地和处所的政府部门提供防治鼠患的技术支援和培训。

本署的调查发现，食环署在鼠患监察、进行防鼠和灭鼠工作，以及运用鼠患投诉数据三个范畴，均有可改善之处。

本署的建议

申诉专员向食环署提出11项改善建议，包括考虑增加每年鼠患参考指数调查的次数，并研究制订「综合鼠患指数」的可行性；加强前线及督导人员对正确使用灭鼠工具和装备的培训工作；投放更多资源整理及分析鼠患投诉详情；加强与本地大学及相关学术机构合作进行研究等。

至于公众街市及后巷两大潜在鼠患热点，食环署应加强对街市商贩和接连后巷的商铺的教育、监察及执管；同时考虑以「风险为本」的原则审视及拣选需要提升洁净程度及加强防治鼠患工作的街市名单，作重点跟进。

个案编号： Case No. :	DI/446
完成日期： Completed on	2022年5月24日 24 May 2022

Effectiveness of Rodent Prevention and Control by Food and Environmental Hygiene Department

Our findings

Rodent infestation has been an issue of wide public concern as it causes nuisances to the daily life of the general public and may spread different types of serious diseases.

The Food and Environmental Hygiene Department ("FEHD") handles rodent infestation in ordinary public places and provides training and technical support for other Government departments regarding rodent prevention and control at public venues and premises under the latter's management.

Our investigation identified three areas for improvement in FEHD's work on rodent surveillance, rodent prevention and disinfestation, and application of rodent-related complaint data.

Our recommendations

The Ombudsman made 11 recommendations to FEHD, including that it should consider conducting rodent infestation surveys more frequently each year and explore the feasibility of formulating a "composite rodent infestation rate", strengthen the training for frontline and supervisory staff on the correct use of tools and equipment for rodent disinfestation, allocate more resources to collate and analyse rodent-related complaints, strengthen the cooperation with local universities and academic institutions in conducting researches, etc.

As for two potential hotspots of rodent activities, namely public markets and rear lanes, FEHD should strengthen the education, monitoring and enforcement on market stall tenants and operators of shops adjoining rear lanes, while considering the adoption of a risk-based approach to work out a list of markets requiring more focused action on cleanliness and anti-rodent control.

民航处
Civil Aviation Department



民航处对滑翔伞活动的规管

本署调查所得

民航处透过《空运（航空服务牌照）规例》及《1995年飞航（香港）令》，对取酬的滑翔伞航空服务及鲁莽或疏忽操作滑翔伞的行为作出规管。本署的调查发现，民航处上述的规管工作有可改善之处，包括须切实执行涉及本地滑翔伞活动的法例、加强对涉嫌违法行为进行调查，以及增加滑翔伞航空服务许可证制度的宣传教育工作。

本署的建议

申诉专员向民航处提出了八项建议，包括研究透过立法或制订行政措施为滑翔伞飞行员及其所使用的飞行器具设立注册制度；考虑为本地滑翔伞组织订立认可制度，正式授权或委聘合适的组织管理滑翔伞活动和调查相关意外及事故；加强滑翔伞航空服务许可证制度的执管和宣传教育工作；以及研究延长获批续期的许可证有效期至多于六个月。

个案编号： Case No.:	DI/449
完成日期： Completed on	2022年5月24日 24 May 2022

Civil Aviation Department's Regulation of Paragliding Activities

Our findings

The Civil Aviation Department ("CAD") regulates the air services provided by paragliders for reward and the reckless or negligent operation of paragliders through the provision in the Air Transport (Licensing of Air Services) Regulations and the Air Navigation (Hong Kong) Order 1995. Our investigation found that there is room for improvement in the regulatory work of CAD, including that CAD should conscientiously enforce the legislations related to local paragliding activities, step up the investigations of alleged illegal behaviours, and enhance publicity and public education on the permit system for the provision of air services by paragliders.

Our recommendations

The Ombudsman made eight recommendations to CAD, including exploring legislative or administrative measures to formulate a registration system for paragliding pilots and the paragliding equipment they use; considering setting up an authorisation regime for local paragliding organisations, and officially authorising and appointing appropriate organisations to administer paragliding activities and conduct investigation into related accidents and incidents; strengthening enforcement and regulation under the permit system for the provision of air services by paragliders and stepping up publicity on the system; and considering granting renewed permits with a validity period longer than six months.

运输署、地政总署及民政事务总署
Transport Department, Lands Department and Home Affairs Department



个案编号： Case No.:	DI/451
完成日期： Completed on	2022年8月30日 30 August 2022

政府土地上弃置车辆的问题

本署调查所得

本港废弃车辆长期停放在公共泊车位、公共道路或行人路的问题持续多时且遍布多区。当局采取的执法策略是尝试利用《土地（杂项条文）条例》检控被弃置在政府土地上的车辆的登记车主。然而，地政总署基于检控成效不高，自2007年开始停止相关的搜证和检控工作。直到2021年民政事务总署（「民政总署」）介入，有关部门才开展跨部门联合清理弃置车辆的行动。本署认为问题的症结是政府没有确立及追究车主须妥善处置其车辆的责任，导致车主可以随意弃置车辆。即使当局加大力度清理路旁的弃置车辆，其实等如免费替车主处置车辆，治标不治本，无助长远有效解决问题。

本署的建议

申诉专员提出合共七项改善建议，包括运输署应及早修订法例以清晰订明登记车主须妥善处置其废弃车辆，否则须负上刑责；主动提醒牌照已逾期一段时间的车主应适时续领车辆牌照及须妥善处置其车辆；运输署及地政总署应协作以追查弃置车辆车主的身份，以及主动跟其他相关部门协作，共同制订处理公共后巷的弃置电单车之程序；民政总署应主动不时检视各区的情况，适时启动跨部门联合行动以清理区内的弃置车辆等。

Problem of Abandoned Vehicles on Government Land

Our findings

Unwanted vehicles being left in public parking spaces, public roads or pavements for prolonged periods is a persistent and pervasive problem in Hong Kong. The Government has been adopting an enforcement strategy that tries to prosecute the registered owners of those vehicles abandoned on Government land by invoking the Land (Miscellaneous Provisions) Ordinance. Nevertheless, the Lands Department ("LandsD") considered that the relevant prosecution efforts were largely ineffective. The Department thus had suspended its work on evidence collection and prosecution for those cases since 2007. It was not until 2021 when the Home Affairs Department ("HAD") intervened that inter-departmental joint clearance operations were launched to remove abandoned vehicles. The crux of the problem, as The Ombudsman sees it, is that the Government has yet to establish the responsibility of vehicle owners to dispose of their vehicles properly and hold the owners liable for non-compliance. As a result, vehicle owners can wilfully abandon their vehicles. Stepped up efforts by the Government to remove vehicles abandoned at the roadside have in effect helped vehicle owners dispose of their vehicles for free. The removal efforts only address the symptoms and offer no long-term solution to the problem.

Our recommendations

The Ombudsman made a total of seven recommendations, including that the Transport Department ("TD") should promptly amend the legislation to stipulate clearly the vehicle owners' responsibility for the proper disposal of their unwanted vehicles and their legal liability for non-compliance, and take initiative to remind owners of vehicles of which vehicle licences have already expired for a certain period to renew vehicle licences in a timely manner and dispose of unwanted vehicles properly; TD and LandsD should collaborate in tracing the identity of the owners of abandoned vehicles and strengthen their cooperation with other relevant departments with a view to formulating together the procedures for handling the motorcycles abandoned in public rear lanes; and HAD should proactively monitor the situation of various districts and organise joint clearance operations in a timelier fashion to remove abandoned vehicles in a district.

屋宇署及地政总署
Buildings Department and Lands Department



个案编号： Case No.:	DI/452
完成日期： Completed on	2023年2月13日 13 February 2023

政府对新界豁免管制屋宇违例建筑工程所采取的执管行动

本署调查所得

2012年4月，政府实施针对新界豁免管制屋宇违例建筑工程（「僭建物」）的加强执法策略。本署的调查发现，虽然加强执法策略的政策目标明确，值得肯定，但该策略过去十年的实际执行情况有多处不足。屋宇署在僭建物个案的跟进及执法、检控及刑罚、数据运用、与地政总署的协作，以及加强执法策略本身及评估成效机制方面，均有可改善之处。

本署的建议

申诉专员向屋宇署及地政总署提出11项改善建议，包括屋宇署应研究简化针对正在施工的僭建物的执法程序、积极探讨大规模行动顾问公司需提交的报告可简化之处、加强检控持续未有遵从清拆令的业主、就取得的僭建物资料编制统计资料作数据分析、全面检讨加强执法策略的政策及资源运用并研究制订工作成效指标；屋宇署及地政总署应定期监察未获对方提供资料的查询个案，以及考虑设立跨部门联络小组。

Government's Enforcement against Unauthorised Building Works in New Territories Exempted Houses

Our findings

Since April 2012, the Government has implemented an enhanced enforcement strategy against unauthorised building works ("UBWs") of New Territories Exempted Houses. While it is commendable of the Government to have implemented the enhanced strategy with a clear policy objective, our investigation revealed multiple inadequacies in the actual implementation of the strategy in the past decade. We identified areas for improvement in the Buildings Department ("BD")'s follow-up and enforcement actions on UBWs, prosecution and penalty, use of data, coordination with the Lands Department ("LandsD"), as well as the enhanced strategy itself and the mechanism for assessing effectiveness.

Our recommendations

The Ombudsman made 11 recommendations to BD and LandsD, including that BD should explore streamlining the enforcement procedures for tackling UBWs under construction, proactively identify areas for streamlining consultants' submission of reports regarding large-scale operations, step up prosecutions against persistent non-compliant owners, compile statistics on UBWs based on information collected for analysis purposes, holistically review the policy of the enhanced strategy and resources utilisation and formulate performance indicators for measuring effectiveness; BD and LandsD should regularly monitor pending cases with information outstanding and consider setting up an inter-departmental liaison group.

海事处及运输署
Marine Department and Transport Department



个案编号： Case No.:	DI/453
完成日期： Completed on	2022年8月30日 30 August 2022

船只涉嫌违规经营街渡服务的问题

本署调查所得

街渡是市民往返偏远的沿岸旅游地点的主要交通工具。街渡营办商须向运输署申领街渡渡轮服务牌照；而海事处则负责规管本地船只的牌照事宜和海上航行安全。本署的调查发现，海事处的巡查未能有效打击船只非法载客活动，该处亦无清楚说明第IV类别游乐船只只可「由船东／承租人纯为游乐用途」的意思；运输署则忽视无牌街渡服务的问题，并且缺乏有效措施协助市民辨识无牌或违规街渡服务。

本署的建议

申诉专员对海事处和运输署提出了十项建议，涵盖提升打击船只违规载客活动的成效、加强资讯发放，协助公众辨识违规船只载客活动、积极解决无牌街渡服务问题及进一步保障船上乘客安全四方面。具体建议包括海事处应针对船只违规载客活动，加密进行巡查及「放蛇」行动，并且为前线人员制订截查工作指引；就船只载客时船上救生设备不符合法例或相关安全标准的个案加强执法；并应清楚解说有关船只「由船东／承租人纯为游乐用途而使用」的规限；运输署应加强宣传并协助公众便捷地辨识领牌街渡航线的指定船只；评估街渡服务的状况；以及监察违规街渡服务并转介涉嫌违规个案至相关部门。

Problem of Alleged Illegal Operation of Kaito Ferry Service

Our findings

Kaito is the major mode of transport for passengers commuting to and from remote coastal destinations. Kaito operators are required to obtain kaito ferry service licences from the Transport Department ("TD"), while the Marine Department ("MD") is responsible for the licensing of local vessels and ensuring marine safety. Our investigation has revealed that MD's patrols are ineffective in deterring illegal carriage of passengers by local vessels. The Department also fails to clarify the meaning of the using of Class IV pleasure vessel exclusively "for pleasure purposes by owner/charterer". On the other hand, TD overlooks the problems of unlicensed kaito service and lacks effective measures to assist the public to identify unlicensed or illegal kaito service.

Our recommendations

The Ombudsman made ten recommendations to MD and TD, covering areas of enhancing deterrence against illegal carriage of passengers, strengthening dissemination of information to assist the public identification of illegal carriage of passengers on vessel, proactively addressing the problem of unlicensed kaito service and further ensuring passenger safety. Recommendations include that MD should conduct more frequent patrols and decoy operations against illegal carriage of passengers; draw up guidelines for frontline inspections; step up enforcement on tackling cases of breaches of the statutory provisions for carriage of passengers and safety standards for life-saving appliances on board; and explain clearly the requirement of a vessel being used "exclusively for pleasure purpose by its owner or charterer"; while TD should step up publicity and assist the public's easy identification of specified vessel of licensed kaito routes; assess the supply of and demand for kaito services; as well as monitor illegal kaito service in order to refer suspected cases to relevant departments for follow-up.

行政署、惩教署、入境事务处、医院管理局及社会福利署
Administration Wing, Correctional Services Department, Immigration Department, Hospital Authority and Social Welfare Department



个案编号： Case No.：	DI/454
完成日期： Completed on	2023年1月31日 31 January 2023

太平绅士巡视计划下法定巡视的运作安排

本署调查所得

太平绅士须定期到指定院所突击巡视。整体而言，本署认为太平绅士巡视计划的运作大致畅顺，亦肯定太平绅士的贡献，然而，计划的运作安排仍有可改善之处。

本署的调查发现，部门及机构各自拟备的核对表虽列出太平绅士在巡视院所时可特别注意的事项，但该些事项实际上未必会在巡视时获评核。部分部门及机构未有即时通知所有院所人士太平绅士正在巡视；亦有部分部门及机构未有通知院所人士可要求与太平绅士单独会面。就太平绅士在巡视时是否已见到所有院所人士，现时各院所单靠职员口头确认的方式欠客观及全面。

本署的建议

申诉专员向行政署、惩教署、入境事务处、医院管理局（「医管局」）及社会福利署提出13项改善建议，包括检视及修订各自的「太平绅士巡视记录」样本，将核对表上的注意事项加入巡视记录的相关部分；主动向太平绅士提供评核所有注意事项所需的资料及暂时离开院所的人士的名单；惩教署及医管局考虑透过广播系统或其他方式，及早通知所有院所人士有太平绅士即将进行巡视等。

Operational Arrangements for Statutory Visits under Justices of the Peace Visit Programme

Our findings

Justices of the Peace ("JPs") regularly conduct surprise visits to specified institutions. Overall, we considered the operation of the JP Visit Programme smooth in general and recognised the contribution of JPs. However, there is still room for improvement in its operational arrangements.

Our investigation revealed that although departments and organisations have prepared their respective checklists highlighting the key areas that JPs may wish to heed when visiting their institutions, some key areas on the checklists may be left unassessed in actual operation. Certain departments and organisations do not notify immediately all the institutionalised persons of JPs' visit, while some do not inform institutionalised persons that they can request to meet JPs in private. Moreover, mere verbal confirmation by staff of institutions as to whether JPs have seen all institutionalised persons during the visit is not entirely objective or complete.

Our recommendations

The Ombudsman made 13 recommendations to the Administration Wing, the Correctional Services Department ("CSD"), the Immigration Department, the Hospital Authority ("HA") and the Social Welfare Department, including reviewing and revising their respective templates of the JP Visit Logbook to incorporate the key areas on the checklist accordingly; proactively providing JPs with related information for assessment of all the key areas and a name list of the persons temporarily away from an institution; and that CSD and HA should consider using the public address system or other means to notify early all institutionalised persons that JPs are about to start a visit.

效率促进办公室、环境保护署、食物环境卫生署、路政署、民政事务总署及地政总署
Efficiency Office, Environmental Protection Department, Food and Environmental Hygiene Department, Highways Department, Home Affairs Department and Lands Department



个案编号： Case No.:	DI/455
完成日期： Completed on	2023年2月14日 14 February 2023

政府对货物及杂物非法霸占或阻碍街道的规管

本署调查所得

货物及杂物非法霸占或阻碍街道是各区普遍的街道管理问题，涉及不同部门的管辖范围，因此需依靠部门之间通力合作。本署的调查发现，当局在执管工作、跨部门协作，以及投诉及转介机制方面，均有可改善之处。

本署的建议

申诉专员向当局提出14项改善建议，包括食物环境卫生署（「食环署」）在制订巡查及执管安排时，应引入不同数据进行分析、加强在中央层面审视各分区的巡查、执管及资源运用；地政总署则应订立协商机制，让其他部门需要协助时可透过机制提出，并加强对违规使用地台扩展营业范围的商户的执管。

跨部门协作方面，民政事务总署（「民政总署」）应督导各区民政事务处（「民政处」）更积极统筹地区事务及协调部门解决问题，并鼓励其他部门善用民政处的协调角色。对于民政处介入后仍未能解决的违规问题或权责争议，民政总署应果断上呈至地方行政督导委员会作高层次协商。

此外，当局应全面检视现行法例的罚则，并研究赋权食环署人员移走、检取和扣押非法霸占或阻碍街道物品的可行性。

Government's Regulation of Illegal Occupation or Obstruction of Streets by Goods and Miscellaneous Articles

Our findings

Illegal occupation or obstruction of streets by goods and miscellaneous articles has been a common street management problem that falls within the ambit of various government departments, hence requiring inter-departmental collaboration. Our investigation identified areas for improvement in the Government's enforcement actions, inter-departmental collaboration and the complaint referral mechanism.

Our recommendations

The Ombudsman made 14 recommendations to the Government, including that the Food and Environmental Hygiene Department ("FEHD") should use various data for analysis to formulate inspection and enforcement plans, and step up the monitoring at central level of the arrangements for inspection and enforcement as well as resources utilisation across districts. The Lands Department should establish a coordination mechanism enabling other departments to seek its assistance where necessary, and step up its enforcement against unauthorised extension of business area with shopfront platforms.

In terms of inter-departmental collaboration, the Home Affairs Department ("HAD") should supervise District Offices' more active performance of their role in coordinating district affairs and problem-solving among departments, and encourage other departments to make good use of their coordinating role. As for unsettled irregularities or unresolved disputes on enforcement responsibilities after District Offices' intervention, HAD should decisively escalate the matter to the Steering Committee on District Administration for high-level negotiation.

In addition, the authorities should review comprehensively the existing penalties under the law, and explore the feasibility of empowering FEHD staff to remove, seize and detain articles causing illegal occupation or obstruction of streets.

康乐及文化事务署
Leisure and Cultural Services Department



康乐及文化事务署公共图书馆电子书借阅服务

本署调查所得

在2019冠状病毒病疫情爆发后，康乐及文化事务署（「康文署」）辖下香港公共图书馆在2020年的电子书使用量较2019年大幅飙升，个别电子书的预约轮候人数持续高企，轮候时间更以月甚至年计，反映部分热门电子书供求失衡。本署发现，康文署在电子书借阅期及掌握读者需求方面可更臻完善，以确保资源用得其所，并提升公共图书馆的服务质素。

本署的建议

申诉专员向当局提出六项改善建议，包括持续检视情况并考虑可否延长电子书的借阅期，确保读者有合理时间阅读电子书；加强现有机制，有系统地恒常检视各电子书馆藏及电子书使用量及借阅情况；持续监察公共图书馆采购电子书的工作，确保拟拣选入藏的电子书须经「馆藏发展会议」审批；持续检视采购电子书的安排，积极考虑为热门电子书购置更多额外复本及／或新版本；日后进行读者意见问卷调查时，为电子书服务制订针对性的题目；以及善用香港公共图书馆的网页及社交媒体帐户推广电子书目。

个案编号： Case No.：	DI/460
完成日期： Completed on	2023年3月30日 30 March 2023

E-book Lending Service of Public Libraries under Leisure and Cultural Services Department

Our findings

Subsequent to the outbreak of the COVID-19 pandemic, the usage of e-books of the Hong Kong Public Libraries under the Leisure and Cultural Services Department ("LCSD") in 2020 surged as compared with that of 2019. Given the long waiting lists for individual e-books, patrons would have to expect months-long or even year-long wait. That reflected an excess demand for some popular e-books. We found that LCSD could make improvement by reconsidering the length of loan periods of e-books and making efforts to learn about public demand so as to ensure optimal utilisation of resources and enhance the services of public libraries.

Our recommendations

The Ombudsman made six recommendations to LCSD, including continuing to review the situation and consider whether the loan periods of e-books should be extended to allow patrons reasonable time for reading the items borrowed; strengthening the current mechanism for reviewing regularly the usage and lending service of e-book collections and their e-book titles in a systematic manner; continuing to monitor the acquisition of e-books in public libraries to ensure that all e-books suggested for acquisition must go through the Collection Development Meeting for approval; evaluating the arrangement for acquisition of e-books regularly and considering acquiring more extra copies and/or new editions of popular e-books; setting specific questions on e-book service of public libraries in future readers opinion surveys; and making good use of the websites and social media accounts of the Hong Kong Public Libraries to promote e-book titles.


1823
解答 有關23個政府部門的查詢
1823

投诉
Complaints

概览

于2022/23年度，公署接到5,357宗投诉。撇除同类主题投诉后，接到的一般投诉共5,124宗，比去年略有增加。连同由上年度转入的投诉，我们于2022/23年度完成处理共5,323宗投诉个案，并达到服务承诺下的各项指标。

2022年2月至3月，香港爆发2019冠状病毒病第五波疫情，在前所未有的疫情重击下，即使疫情于4月已经稍为缓和，林林总总与疫情有关的投诉在本年度仍然是随之而来。香港已经历前几波疫情，市民大众期望政府会汲取经验并改善安排，唯事实常与市民期望有落差；及至第五波疫情中后期，市民耐性日渐消耗，并渴求复常，若政府服务未能及时回应，便容易引致投诉。

公署于2022/23年度接到有关疫情的投诉为766宗，占整体投诉约14%，主要涉及当局就应对疫情所作的安排和行动、纾解民困措施，以及疫情期间提供的公共服务未能符合市民的预期等。公署就这些个案，向当局提出的建议包括检视发出隔离／检疫证明的程序以提升效率、加入抽查资料以提升准确度、以较简单易明的方式向市民发放防疫抗疫资讯；以及政府当局将来再推出支援计划时，应将计划设计得更简单及方便理解等。

Overview

In 2022/23, we received 5,357 cases of complaints. After discounting topical complaints, there were 5,124 normal complaints, which was a slight increase as compared with previous year. Together with the cases brought forward from last year, we completed a total of 5,323 complaint cases in 2022/23. All targets of our service standards in processing complaints and enquiries were met.

In February and March 2022, Hong Kong was hit hard by the fifth wave of the COVID-19 outbreak, which was unprecedented. Although the outbreak subsided slightly in April, year 2022/23 continued to be marked by a myriad of pandemic-related complaints. Having gained the experiences from earlier waves of the outbreak, people expected the Government to learn from the experiences and improve arrangements. However, there were often gaps between what actually happened and the public's expectation. Amidst the mid to late stages of the fifth wave, the public's patience was wearing thin and they longed for a return to normalcy, which could easily lead to complaints if government services failed to respond in a timely manner.

In 2022/23, we received 766 complaints in relation to COVID-19, accounting for about 14% of the total number of complaints. Such complaints were mainly related to the arrangements and actions taken by the authorities in response to the pandemic, relief measures, public services not meeting the public's expectations during the outbreak and so forth. Arising from these cases, we made recommendations to the Government, including reviewing the procedures for issuing isolation/quarantine orders with a view to enhancing efficiency, adding random checks to enhance accuracy, disseminating information on disease prevention and control to the public in a simpler manner which is easier to be understood, as well as adopting a simpler and easier-to-understand design for future support programmes.

2022/23年度主要数字一览
2022/23 Highlights

接到的投诉总数
Total Complaints Received
5,357

一般投诉
Normal Complaints
5,124

同类主题投诉
Topical Complaints
233

接到的查询总数
Total Enquiries Received
9,279

已完成的投诉总数
Total Complaints Completed
5,323

一般投诉
Normal Complaints
5,069

同类主题投诉
Topical Complaints
254

整体投诉及查询

Overall Complaints and Enquiries

5,357
投诉总数
Total Complaints
8.6%
较上年度
over last year

9,279
查询
Enquiries
4.8%
较上年度
over last year

年内，我们接到共5,357宗投诉，较上年度的4,934宗增加8.6%。连同由上年度转入的594宗投诉个案，本署在本年度须处理共5,951宗投诉，去年则为5,626宗。至于在年度内接到的查询则有9,279宗。

This year, we received 5,357complaints, which was an 8.6% increase from 4,934 last year. Together with 594 complaints brought forward from last year, we had a total of 5,951 complaints for processing this year as compared to 5,626 last year. We also received 9,279 enquiries.

投诉方式

透过电子方式提出投诉依然是最多市民采用的投诉方式，本署在年度内接到以电子方式提出的投诉共4,028宗（占75.2%）。当中，共1,709宗是透过本署网页提出（比去年透过本署网页提出的投诉大幅上升75.1%），这可能与本署于2022年10月推出全新设计的网页有关，网页的网上投诉表格经过改良，方便市民提出投诉。

Mode of Lodging Complaints

Complaint by electronic means continued to be the most popular mode, with 4,028 (75.2%) cases. Of these, a total of 1,709 complaints were lodged through our website, representing a significant increase of 75.1% over that of last year. This might be attributable to the launch of our revamped website in October 2022, with an improved online complaint form to facilitate the public to lodge complaints.

75.2%	11.0%	8.4%	3.1%	2.3%
电子方式提出的投诉 Through electronic means	邮寄 By Post	亲临本署 In Person	电话 By Phone	传真 By Fax

已处理的投诉

我们在本年度完成处理5,323宗投诉个案，占由上年度转入和在年度内接到的个案总数的89.5%。在已完成处理的投诉当中，有2,558宗是已跟进并终结，其余2,765宗个案经评审后已经终结。

本年度已跟进并终结的个案共2,558宗，较去年的2,739宗略为减少。

已跟进并终结的个案的处理方式如下：

Complaints Handled

We completed processing 5,323 cases, i.e., 89.5% of all cases received during the year and those brought forward from last year. Among the cases processed, 2,558 were pursued and concluded and 2,765 were assessed and closed after assessment.

The number of cases pursued and concluded (2,558) was slightly fewer than that of last year (2,739).

The distribution of cases pursued and concluded by mode of handling was as follows:

查讯 By Inquiry	82.6%	2,112
全面调查 By Full Investigation	5.5%	141
调解 By Mediation	11.9%	305
已跟进并终结的投诉个案总计 Complaints Pursued and Concluded in Total	**100%**	**2,558**

其余的个案（2,765宗）经评审后已经终结。当中包括投诉缺乏充分理据（1,787宗，或64.6%），或受本署职权范围或《条例》所限（978宗，或35.4%）。

详细个案数字请参阅**附录3**。

The rest of complaints handled (2,765) were closed after assessment due to insufficient grounds to pursue the complaint (1,787 or 64.6%) or jurisdictional or legal restrictions (978 or 35.4%).

Detailed caseload statistics are given in **Appendix 3**.

投诉的主要原因

Major Causes of Complaints

根据投诉人所提出的指称作统计，引致市民投诉的五大原因如下：

Based on the allegations made by complainants, the top five causes of complaints were:

出错、意见／决定错误
Error, wrong advice/decision
39.1%

监管不力
Ineffective control
15.7%

延误／没有采取行动
Delay/inaction
14.7%

没有回应投诉
Lack of response
10.1%

职员态度
Staff attitude
4.4%

在2022/23年度，「出错、意见／决定错误」是引致投诉的最主要原因。

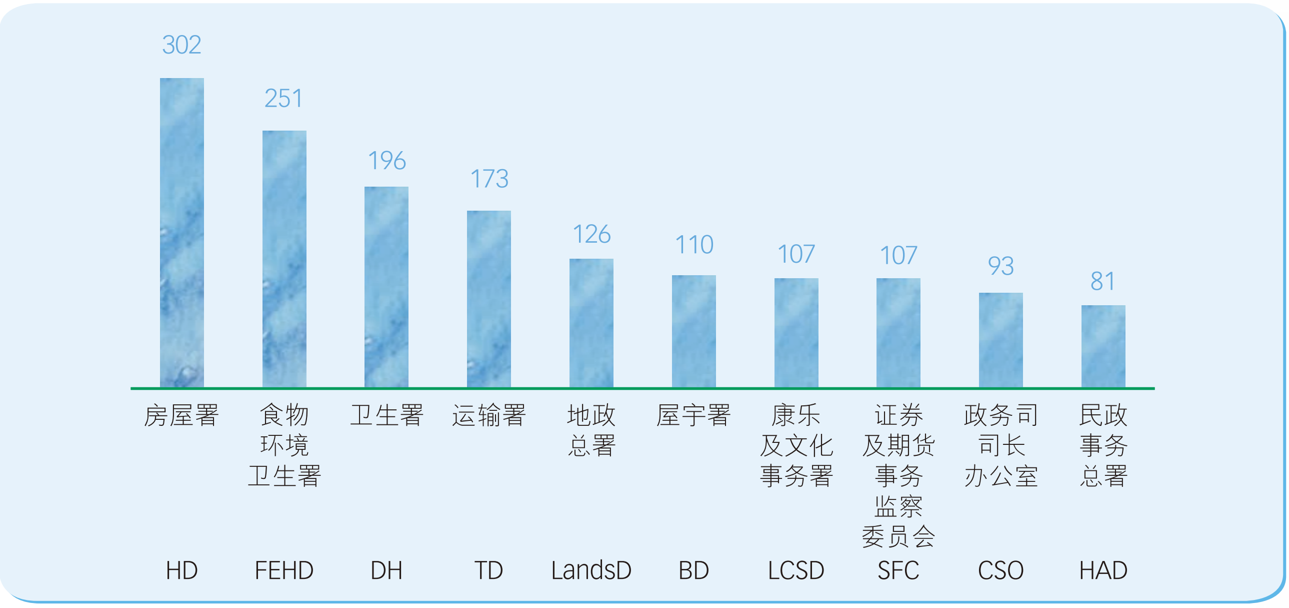
"Error, wrong advice/decision" was the most common cause of complaint in 2022/23.

最多人投诉的机构

Major Targets of Complaints

根据本年度内已跟进并终结的投诉个案数目，被投诉最多的机构如下：

The departments with the highest number of complaints pursued and concluded during the year were as follows:



接到及已跟进并终结的投诉个案（按机构排列），载于**附录4**。

A detailed breakdown of complaints pursued and concluded, and complaints received by organisations is in **Appendix 4**.

2022/23年度履行服务承诺的统计数字

Achievement of Performance Pledges 2022/23

在本年度，我们在处理投诉时达到服务承诺所订定的全部标准。

We met all targets of our service standards in processing complaints in the year.

投诉 Complaints	服务标准 Service Standard	承诺指标 Target	达标率 Achievement
认收投诉个案 Acknowledge receipt of a complaint	5个工作天内 within 5 working days	99%	100%
受本署职权范围所限，经初步评审后终结投诉个案 Close a complaint case after initial assessment due to jurisdictional restrictions	10个工作天内 within 10 working days	90%	99.7%
	15个工作天内 within 15 working days	99%	100%
完成投诉个案 Conclude a complaint case	3个月内 within 3 months	80%	86.8%
	6个月内 within 6 months	99%	99.4%

处理查询方面，我们亦能够达到服务承诺所订定的标准。

We were also able to meet the targets of our service standard in handling enquiries.

查询 Enquiries	服务标准 Service Standard	承诺指标 Target	达标率 Achievement
答复书面查询 Reply to a written enquiry	5个工作天内 Within 5 working days	95%	99.4%
	10个工作天内 Within 10 working days	99%	100%

与疫情有关的投诉

2019冠状病毒病疫情对社会各方都造成深远影响。公署于2022/23年度接到有关疫情的投诉为766宗，占整体投诉约14%，主要涉及疫情期间卫生署（209宗）及医务卫生局（「医卫局」）（44宗）就应对疫情所作的安排和行动，包括发出检疫令和隔离令、强制检测及围封强检、派发抗疫物资，以及热线服务等。公署就投诉进行查讯或调查，审研卫生署／医卫局有否按所订的程序及准则执行有关的抗疫安排和行动，以及有否有效与市民沟通等。公署就这些个案向卫生署及医卫局提出的建议，包括检视发出隔离／检疫证明的程序以提升效率、加入抽查资料以提升准确度、以较简单易明的方式向市民发放防疫抗疫资讯，以及灵活调派人手，并提醒职员准确回复投诉人。

除抗疫防疫外，政府推出了不同的纾解民困措施，为市民及中小企提供财政支援，包括「临时失业支援」计划（「失业支援」）及「2022保就业」计划（「保就业」）等。其中，公署接到有关由政策创新与统筹办事处[1]（「创新办」）／政务司司长办公室[2]（「办公室」）（93宗）及民政事务总署（34宗）负责的「失业支援」的投诉共有127宗，而由创新办／办公室负责的「保就业」的投诉有115宗。就两项计划的投诉，主要涉及不满计划的审批结果和进度，以及不满被要求退回已发放的资助及缴交罚款。公署认为，这些投诉反映计划的援助对象，尤其是「保就业」的中小企未能充分掌握到「计划」的设计及批核准则。公署已提醒政府当局将来若再推出支援计划，应将计划设计得更简单并多加解说，确保支援对象理解计划详情。

1 于2022年6月底解散。

2 自2022年7月1日起接掌「临时失业支援」计划及「2022保就业」计划。

COVID-19 Related Cases

The COVID-19 pandemic has had a profound impact on all sectors of the community. In 2022/23, we received 766 complaints related to the outbreak, accounting for about 14% of the total number of complaints. They mainly involved the arrangements and actions of the Department of Health ("DH") (209 cases) and the Health Bureau ("HHB") (44 cases) in response to the outbreak, including the issuance of quarantine and isolation orders, compulsory testing and restriction-testing declarations, distribution of anti-epidemic supplies, hotline services and so forth. We conducted inquiries or investigations into the complaints to examine whether DH/HHB had implemented the anti-epidemic arrangements and actions in accordance with the prescribed procedures and criteria, and whether there was effective communication with the public. Recommendations were made to DH/HHB, including reviewing the procedures for issuing isolation/quarantine orders with a view to enhancing efficiency, adding random checks to enhance accuracy, disseminating information on disease prevention and control to the public in a simpler and easier-to-understand manner, as well as adopting flexible approach in allocating manpower resources, and reminding staff to reply to complainants in a timely manner.

Apart from anti-epidemic measures, the Government also launched various relief measures to provide financial support to members of the public and small and medium enterprises ("SMEs"). These measures include Temporary Unemployment Relief Scheme and Employment Support Scheme 2022. We received 127 complaints in relation to the vetting of applications under the Temporary Unemployment Relief Scheme, of which 93 cases were against the Policy Innovation and Co-ordination Office ("PICO")[1]/Chief Secretary for Administration's Office ("CSO")[2] and 34 cases were against the Home Affairs Department. We also received 115 complaints against PICO/CSO regarding the vetting of applications under the Employment Support Scheme 2022. Complaints of these schemes mainly involved dissatisfaction with vetting results and progress, as well as dissatisfaction against requests for subsidy clawbacks and paying penalty. These complaints reflect that the target groups of these schemes, in particular SMEs under the Employment Support Scheme 2022, did not thoroughly understand the design and approval criteria of the scheme. We reminded the Government that future support schemes should be designed in a simpler manner with more explanations to facilitate the target groups' understanding of the details of the schemes.

1 Dissolved at the end of June 2022.

2 Took over the Temporary Unemployment Relief Scheme and Employment Support Scheme 2022 since 1 July 2022.

与此同时，公署亦接到投诉指政府部门提供的公共服务未能符合市民的预期，例如运输署驾驶考试的轮候时间及传统／自订车辆登记号码拍卖进度等；邮政署的特别派递服务亦引起市民不满。

At the same time, we also received complaints that the public services provided by government departments did not meet the expectations of the public, for instance, the waiting time for the Transport Department's driving tests and the progress of the auction of traditional/personalized vehicle registration marks. Special delivery arrangement of the Post Office also led to discontent of the public.

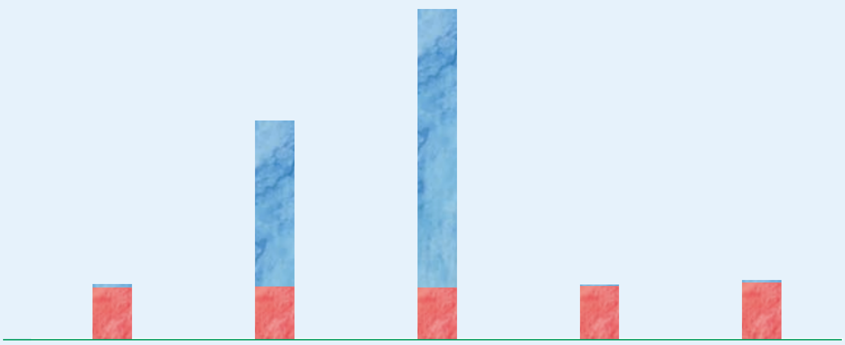
一般投诉及同类主题投诉

Normal Complaints and Topical Complaints

在本年度，本署接到共5,124宗一般投诉个案（即撇除同类主题投诉从属个案后接到的投诉）。在由上年度转入和年度内接到的一般投诉个案中，我们完成处理的一般个案达5,069宗。其中，有2,420宗（占47.7%）已跟进并终结，其余2,649宗（占52.3%）则由于投诉缺乏充分理据，或受本署职权范围或《条例》所限，经评审后已终结。

This year, we received 5,124 normal complaint cases (complaints received excluding secondary cases of topical nature). Among the normal complaints received and with complaints carried over from last year, the Office had completed 5,069 normal cases. Of them, 2,420 (47.7%) were pursued and concluded and 2,649 (52.3%) were assessed and closed due to insufficient grounds to pursue the complaint or jurisdictional or legal restrictions.

接到的投诉数目
Number of Complaints Received by Year



	2018/19	2019/20	2020/21	2021/22	2022/23
一般投诉 Normal complaints	4,642	4,733	4,659	4,794	5,124
同类主题投诉 Topical complaints	349	15,034	25,155	140	233
接到的投诉总计 Total complaints received	**4,991**	**19,767**	**29,814**	**4,934**	**5,357**

上述图表显示，本署在年内接到233宗同类主题投诉从属个案。

As shown in the table above, we received 233 secondary cases of topical nature this year.

年度 Year	接到的从属个案数目 Number of secondary complaints received	主要同类主题投诉（从属个案数目） Key groups of topical complaints (number of secondary cases)
2018/19	349	延误提供子宫颈癌疫苗（155宗） Delay in provision of HPV vaccine (155) 有关地产代理提供回赠的公众教育短片（150宗） An educational video concerning rebates offered by estate agents (150)
2019/20	15,034	本地免费电视广播机构获免除播放香港电台节目的要求（3,808宗） Allowing domestic free television broadcasters to drop RTHK's programmes (3,808) 香港电台一个时事节目的报道内容（2,566宗） RTHK's reporting in a news programme (2,566)
2020/21	25,155	没有就某个位于政府土地的非法坟墓采取行动（24,340宗） Inaction against a tomb illegally located on Government land (24,340) 没有对某个疑属「集体投资计划」的项目采取行动（208宗） Inaction against an allegedly collective investment scheme (208) 香港电台停播及抽调某些电视节目（175宗） RTHK's suspension and rescheduling of TV programmes (175)
2021/22	140	没有就某物业发展项目的回报涉嫌虚假陈述采取行动（31宗） Inaction against allegedly false descriptions about the yield of a property development (31) 没有就地产代理涉嫌行为失当采取行动（21宗） Inaction on an alleged breach of conduct of estate agents (21)
2022/23	233	就涉嫌未被认可的「保证回报」项目监管不力（64宗） Ineffective control on an allegedly unauthorised "guaranteed return" project (64) 有关某物业发展项目的失实陈述（31宗） False description in relation to a property development (31)

查讯及全面调查

查讯

《条例》订明，申诉专员如认为适当，可先进行「初步查讯」，以决定应否就投诉展开全面调查。考虑到投诉人的利益，我们以这种较快捷的初步查讯方式处理一般性质的投诉个案，而不一定进行需时较长的全面调查。我们把这种处理方式简称为「查讯」。

在2,112宗以查讯方式终结的个案中，我们在378宗（占17.9%）中发现事涉机构有不足之处。有关以查讯方式终结的投诉个案的详细统计数字，载于**附录5**。

全面调查

投诉个案如较为复杂、涉及原则性问题、严重行政失当、极不公平的情况、行政体制上的流弊或程序上的缺失，或本署认为有必要对个案作更深入和全面的调查，我们会展开全面调查。

在本报告年度，申诉专员以全面调查方式终结了141宗投诉个案，其中有78宗（占55.3%）的结论是「成立」、「部分成立」或「投诉不成立，但机构另有缺失」。当中，投诉人的不满包括监管不力、所涉部门或机构出错、决定错误，以及延误处理个案或程序不妥。

Inquiry and Full Investigation

Inquiry

The Ordinance provides that for the purposes of determining whether to undertake a full investigation, The Ombudsman may conduct such "preliminary inquiries" as she considers appropriate. In the interest of complainants, we often use this procedure to resolve complaint cases of a general nature more quickly, without unnecessarily resorting to the more time-consuming action of full investigation. For simplicity, we call this "inquiry".

Among the 2,112 inquiry cases concluded, inadequacies were found in 378 (17.9%). Detailed statistics of complaints concluded by inquiry are given in **Appendix 5**.

Full Investigation

For complex cases which appear to involve issues of principle, serious maladministration, gross injustice, systemic flaws or procedural deficiencies, or simply require deeper and fuller probing, we will conduct full investigation.

In the year, we conducted 141 full investigations. 78 (55.3%) were substantiated, partially substantiated or unsubstantiated but with other inadequacies found. Various allegations were made in those complaints, including dissatisfaction about ineffective control, departments' errors, wrong decisions, delays in handling cases or their procedural deficiencies.

经全面调查终结的投诉个案结果
Results of Complaints Concluded by Full Investigation



11.3% 成立 Substantiated

36.2% 部分成立 Partially substantiated

7.8% 投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found

44.0% 不成立 Unsubstantiated

0.7% 投诉已撤回／中止调查 Withdrawn/discontinued

经全面调查后确定的行政失当主要类别
Major Forms of Maladministration Substantiated by Full Investigation



- 50.6% 出错，意见／决定错误 Error, wrong advice/decision
- 11.1% 没有回应投诉 Lack of response
- 9.9% 监管不力 Ineffective control
- 11.1% 延误／没有采取行动 Delay/inaction
- 7.4% 办事疏忽，有缺失遗漏的情况 Negligence, omissions

本署在完成全面调查后，提出了共125项建议。截至2023年3月31日，有108项建议已获所涉部门／机构接纳并同意落实，其余17项则尚在考虑中。

We made 125 recommendations on completion of full investigations. Among them, 108 had been accepted by the concerned departments/organisations for implementation and 17 were under consideration as at 31 March 2023.

经全面调查后终结的个案索引载于**附录6**。

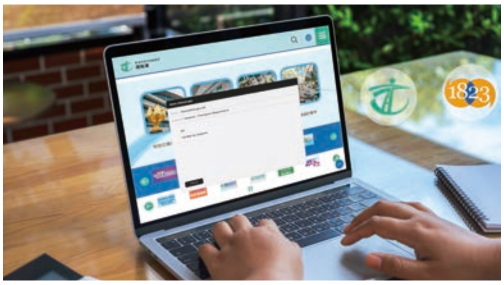
An index of cases concluded by full investigation is in **Appendix 6**.

下文载列经全面调查后终结的个案撮要选录。

Summaries of selected cases concluded by full investigation are as follows.

各报告全文可于本署网页浏览
All the full reports are available on our website
www.ombudsman.hk

效率促进办公室辖下1823及运输署
1823 managed by Efficiency Office and Transport Department



效率办及运输署 | 投诉不成立，但机构另有缺失

EO & TD | Unsubstantiated but other inadequacies found

在疫情期间就处理市民电邮的安排

效率促进办公室（「效率办」）辖下1823因疫情于2022年2月22日公布自2月23日起暂停处理市民给运输署等部门的电邮。投诉人于2月22日电邮1823等部门，建议部门在1823暂停处理电邮期间自行处理其部门的电邮。但投诉人于4月6日给运输署的电邮，仍收到由1823系统发送的自动回复，表示不会处理。投诉人不满1823未能与运输署就处理市民的电邮作出妥善安排。

本署调查发现，在疫情高峰期时各部门均面对疫情所带来的查询急升及人手限制的压力，运输署及1823当时已尽力提供其他途径供市民向运输署提出查询。1823及运输署亦已透过其网页及新闻公告等告知市民停收电邮安排及向运输署查询的其他途径。

然而，本署认为1823应与运输署修订其系统发送的自动回复，说明运输署的其他查询途径，而不是单单重复1823暂停处理电邮。此外，1823在回复投诉人2月22日的查询中，没有说明运输署已拒绝自行处理电邮的建议，以致投诉人误会运输署会处理他4月6日的电邮。

Arrangements for handling public email during the epidemic

In view of the epidemic, 1823 under the Efficiency Office ("EO") announced on 22 February 2022 that starting from 23 February, it would suspend the service of handling emails from the public directed to government departments, including the Transport Department ("TD"). On 22 February, the complainant emailed 1823 and relevant departments, suggesting that the latter handled emails from the public by themselves during the service suspension period. On 6 April, the complainant emailed TD but only received an auto-reply generated by the 1823 computer system indicating that his message would not be handled. The complainant was aggrieved that 1823 had failed to work out with TD proper arrangements for handling emails from the public.

Our investigation found that at the height of the epidemic, all government departments faced the pressure brought about by a surge in enquiries and manpower constraints. TD and 1823 had made every effort to provide alternative means for the public to raise enquiries to TD. Both of them had informed the public through website announcements and press releases of the suspension of email handling service, and other alternative means to raise enquiries to TD.

Nevertheless, we considered that 1823 and TD should revise the auto-replies sent out through computer systems to explain clearly the alternative means of raising enquiries with TD, instead of repeating the fact that 1823 had suspended its email handling service. Besides, 1823's reply to the complainant's enquiry on 22 February failed to state clearly that TD had rejected his suggestion that the Department should handle emails from the public itself. The complainant, therefore, misunderstood that TD would handle his email dated 6 April.

向效率办及运输署提出的建议

- 指示1823，须向查询者提供清楚准确的资料及回复

Recommendation to EO & TD

- Instruct 1823 to provide clear and accurate information and replies to enquirers

屋宇署
Buildings Department



对顾问公司及承建商进行强制验楼计划修葺工程的监管

投诉人不满屋宇署没有妥善监管其承建商在她居住的大厦进行的强制验楼计划修葺工程，引致工程严重延误。

本署调查发现，所有修葺工程应在搭建棚架后进行。但鉴于事涉大厦所在位置路面及周遭环境的状况，令施工初期无法运送棚竹，以及新冠疫情对建造业的影响，本署认为工程延误虽不理想，但属可以理解。不过，屋宇署的顾问公司即使知悉承建商就运送棚竹遇上困难，仍只让承建商独自面对问题而未有主动了解、提供协助，或建议补救方案。同时，屋宇署未有在工程停滞不前时，敦促顾问公司采取切实可行的方法解决承建商面对的困难，或介入并提供实质协助。本署认为，屋宇署在监管顾问公司和承建商的表现及跟进工程进度上欠积极。

当调查结束时，屋宇署已推出多项改善措施以加强监管，例如增加顾问公司须提交的月度报告书的内容、新增抽样审查、加强在职培训以便职员主动协助承建商应对较难处理的情况等。

屋宇署 BD	部分成立 Partially Substantiated

Monitoring of repair works by consultant and contractor under the Mandatory Building Inspection Scheme

The complainant was discontented with the Buildings Department's ("BD") failure in promptly monitoring its contractor's execution of the repair works under the Mandatory Building Inspection Scheme at her residential building, resulting in severe delay in the repairs.

Our investigation revealed that all repair works should have been carried out following the erection of bamboo scaffolding. However, given the road conditions and the surroundings of the building, which made the transportation of bamboo poles at the initial stage of the works impossible, and the impacts of COVID-19 on the construction industry, we consider the delay of repairs understandable, though undesirable. That said, BD's consultant, after learning of the contractor's difficulties in taking the bamboo poles to the site, failed to figure out the contractor's limitations, offer assistance, or propose remedies, thereby leaving the contractor to cope with the problem alone. Simultaneously, when the works progress stagnated, BD did not urge the consultant to implement practical and feasible measures to resolve the problem facing the contractor, or step in with specific assistance. We consider BD's monitoring of the performance of the consultant and the contractor, and the works progress passive.

Upon conclusion of this investigation, BD introduced various improvement measures to step up monitoring, like requiring beefed-up content in the consultant's monthly progress reports, conducting random inspections, enhancing on-the-job training for staff to assist contractors' handling of trickier situations, etc.

卫生署
Department of Health



误把某住宅大厦纳入2019冠状病毒病染疫名单

投诉人向卫生署投诉，该署误把其居住村屋纳入《过去14天内有严重急性呼吸综合症冠状病毒2的阳性检测个案曾居住的住宅大厦名单》（「《名单》」），但卫生署没有回应其投诉。

本署调查发现，卫生署职员于个案平台系统错误输入资料，导致《名单》出错。该署并因第五波疫情严峻，工作繁忙，于确诊个案的报告日期起计第11日才把资料上载到《名单》中，直至本署查讯始发现犯错。

本署认为卫生署的失误及延误严重，既影响个案追踪及监察，亦影响有关人士的生活。该署亦无适时、恰当地处理投诉，错失了尽快纠正错误的机会。本署建议卫生署检视及改善输入资料的程序，安排抽查相关资料，以提升效率及资料的准确程度，并适时按需求检视跟进及回复市民查询及投诉的相关安排。

卫生署	部分成立
DH	Partially substantiated

Mistakenly putting a residential building on the list of buildings with infection cases of COVID-19

The complainant complained to the Department of Health ("DH") about the latter's mistakenly putting the village house where he resided on the List of buildings resided by Cases Tested Positive for SARS-CoV-2 Virus in the past 14 days ("the List"). Allegedly, DH did not respond to his complaint.

Our investigation revealed that DH staff had input the incorrect information to the case platform, thus resulting in the error on the List. Moreover, as DH had been coping with the heavy workload amid the fifth wave of COVID-19, the information was only added to the List and uploaded on the 11th day after the confirmed case concerned was reported. It was not until we commenced our preliminary inquiry that DH became aware of the error.

In our view, the error and delay in question were serious which affected the tracking and monitoring of cases as well as the daily life of the persons concerned. Failing to promptly and properly address the complaint, DH had also missed the opportunity to rectify the error quickly. We recommend that DH review and refine the procedures for data entry and arrange for random checks on the relevant information to improve efficiency and information accuracy and make timely review of the arrangements for following up on and replying to public enquiries and complaints.

向卫生署提出的建议

- 检视输入确诊个案资料的程序，进一步提升效率
- 考虑加入抽查资料的程序，提升资料的准确程度
- 检视处理投诉的安排，加强职员培训，提醒职员务必仔细审阅投诉及准确回复投诉人

Recommendations to DH

- Review the procedures for data entry of confirmed cases to improve efficiency
- Consider including random checks in the procedures to enhance information accuracy
- Review the arrangements for handling complaints and strengthen staff training to remind staff to examine complaints carefully and reply to the complaints accordingly

卫生署
Department of Health

卫生署 DH	成立 Substantiated

向新冠病毒感染人士签发隔离文件的不足之处

投诉人向卫生署呈报她五名家庭成员的新冠病毒测试阳性结果以取得隔离文件，并多次以电邮和电话与不同的热线中心联络。她投诉卫生署延误发出隔离文件、文件上的名字拼写错误，以及各热线中心欠缺协调。

本署调查发现，在投诉人家人提供了全部所需资料后，卫生署花两星期才发出隔离文件，再隔九天才更正名字和发出正确文件，部分原因是不同热线之间缺乏协调。该署解释，在第五波疫情期间，收到大量查询和要求，无法及时处理；而名字拼写错误是源于职员在电脑系统输入资料时出错。

本署理解卫生署在疫情期间面对繁重的工作和巨大的压力，但广大市民同样在忍受着疫情的影响及承受着疫情带来的压力和挑战。工作量不能成为卫生署在本案中严重出错和延误签发有关法律文件的辩解。该署签发隔离文件的工作流程和程序欠缺成效，以致多次处理同一案件和重复产生额外工作，造成恶性循环。

Shortcomings in issuing isolation documents to COVID-19 infected persons

The complainant reported positive result of COVID-19 tests to the Department of Health ("DH") for her five family members for obtaining isolation documents and had a number of email and call exchanges with different call centres. She complained that DH delayed in issuing the isolation documents and wrongly spelt the names on the documents, and the call centres lacked coordination.

Our investigation found that after the complainant's family provided all the required information, DH spent two weeks to issue the isolation documents and nine more days to amend the names and issue the correct documents partly due to the lack of coordination among different hotlines. DH explained that it received large number of enquiries and requests during the fifth wave of the pandemic and the department was unable to handle them in a timely manner. The wrong spelling in the names was due to the staff's typographical mistakes when manually inputting the data into the computer system.

While we understand that DH was facing a heavy workload and under immense pressure during the pandemic, the general public was also enduring the pandemic and suffering from the pressure and challenges brought about by the pandemic. Workload could not justify the significant error and delay in issuing the legal documents in this case. The relevant workflow and procedures of issuing isolation-related documents were ineffective, which resulted in multiple handling of the same case and re-generation of additional workload in a vicious cycle.

向卫生署提出的建议

- 将签发隔离文件的步骤简化及／或自动化
- 在签发文件前反覆核实资料
- 简化热线中心转介的程序
- 加强宣传各热线的功能

Recommendations to DH

- Streamline and/or automate steps of issuing the isolation documents
- Cross check the work before issuing the documents
- Streamline the procedure of referral from the hotlines
- Enhance publicity of the function of the respective hotlines

卫生署
Department of Health



	卫生署 DH	成立 Substantiated

确诊人士同住家人的申报及签发检疫文件处理不当

两名投诉人投诉卫生署职员就2019冠状病毒病确诊人士的同住家人如曾确诊是否仍须向当局申报的回复错误及前后不一。此外，该署办事疏忽，多次向她们发出错误的检疫文件。

本署调查显示，本个案的问题源于「2019冠状病毒快速抗原测试阳性结果人士申报系统」（「快测申报系统」）指确诊人士无需申报曾确诊的同住家人时，并无订明家人的确诊时限（即当时确诊或之前90天内曾确诊方无需申报）；当时卫生署2019冠状病毒病专题网站未有相关资讯，接听市民电话的职员提供的资讯亦不一致。两名投诉人在确诊家人申报其个案后超过一个月的时间内，不断向卫生署提出查询及投诉，最终才获发正确的密切接触者纪录，除对两名投诉人造成不便和影响外，亦令1823和卫生署职员徒添工作。本署认为，有关失误极不理想。

本署欣悉，因应这宗投诉，卫生署更新了快测申报系统及2019冠状病毒病专题网站上的指示和资讯。

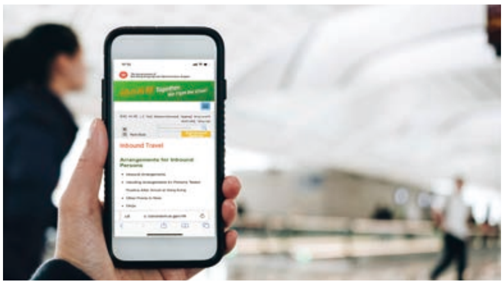
Improper handling of the declaration and issuance of quarantine documents of household members of confirmed patients

The complainants alleged that the Department of Health ("DH") had provided them with incorrect and inconsistent information on whether COVID-19 patients were required to declare their household members who had previously been infected. In addition, DH was negligent to have sent multiple wrong quarantine documents to the complainants.

Our investigation revealed that the problem of this case stemmed from the fact that the "Declaration System for Individuals Tested Positive for COVID-19 Using Rapid Antigen Test" ("Declaration System") remarked that COVID-19 patients were not required to report their household members who had previously been infected without specifying the time period of the infection (which was at the time of reporting or in the 90 days before). The information was not available on the COVID-19 Thematic Website at the time; and the information provided by the hotline staff were inconsistent. The complainants had to keep making enquiries and complaints to DH for over a month after their family member had reported his/her case before they were finally provided the correct records of close contact. We consider the error highly undesirable.

We are pleased to note that in response to this complaint, DH had updated the instructions and information on the "Declaration System" and the COVID-19 Thematic Website.

卫生署
Department of Health



外籍家庭佣工的入境检疫及检测的资讯发放工作

投诉人称，外籍家庭佣工（「外佣」）收到的有关最新入境检疫及检测要求的讯息、文件和2019冠状病毒病专题网站上的相关资讯均只有中英文版本。此外，投诉人认为政府经常更新防疫抗疫措施，卫生署没有足够和有效提醒外佣相关的检测要求。

本署的调查结果显示，卫生署已透过多个渠道通知及提醒外佣有关强制性检测的规定及安排，当中并无行政失当。本署欣悉，卫生署及劳工处每次在政府调整入境强制检疫规定后，均以外佣常用的语言向其提供最新资料。然而，这宗投诉反映政府与外佣之间可能在传递和接收讯息间存在差距。鉴于当时入境检测要求复杂且更新频繁，卫生署应以更简单直接的方式传达关键信息，以方便公众理解，特别是这些措施的目标群组。

卫生署	不成立
DH	Unsubstantiated

Dissemination of information of the latest quarantine and testing requirements for foreign domestic helpers

The complainant alleged that the messages and documents foreign domestic helpers ("FDHs") received about the latest quarantine and compulsory testing requirements and the relevant information on the COVID-19 Thematic Website were all in Chinese and English. Also, in view of the frequently changing anti-epidemic measures of the Government, there were insufficient and ineffective reminders for FDHs about those requirements.

Our investigation revealed that the Department of Health ("DH") had used various means to inform and remind FDHs about the compulsory testing requirements and we see no evidence of maladministration on the part of DH. We appreciate the effort spent by DH and the Labour Department in providing information on updated inbound control measures in languages commonly understood by FDHs each time after the Government adjusted the compulsory testing requirement. However, this complaint reflected that there had probably been communication gaps between the Government and FDHs. In view of the then complicated and frequently updated compulsory testing requirements, DH should communicate the key messages in a simple and direct way to facilitate understanding by the general public, and in particular the target group of those measures.

卫生署及政府资讯科技总监办公室
Department of Health and Office of the Government Chief Information Officer



将市民的「安心出行」应用程式（「安心出行」）内储存的「疫苗通行证」误转为红色二维码（「红码」）

投诉人女儿不曾确诊2019冠状病毒病，但储存在其「安心出行」内的「疫苗通行证」却转为红码，显示她为确诊人士。投诉人与部门跟进，数日后恢复为蓝色二维码（「蓝码」），但仍错误显示她曾受感染。

本署调查发现，事件源于社区检测站职员的人为失误，错误输入检测人士的资料，而卫生署职员先后两次发现资料异常时，未有适当处理。卫生署职员在初次发现异常时，未有仔细比对资料，便将确诊者的姓名更改为投诉人女儿的姓名，导致出现红码；该署另一职员在翌日发现错误，虽已更新确诊者名单，修正为蓝码，但未有呈报事件作特别处理，以致程式仍显示为曾受感染。本署认为，有关失误严重。政府在「疫苗通行证」加入红码，以更准确管制确诊者不得进入适用处所。当时「疫苗通行证」触及市民日常生活的几乎所有层面，未能满足相关要求，会对市民造成重大影响。

卫生署 **DH**	成立 Substantiated
资科办 **OGCIO**	不成立 Unsubstantiated

Mistakenly changing a member of the public's "Vaccine Pass" stored in the "LeaveHomeSafe" mobile application ("LHS") to Red Code

The complainant's daughter was not diagnosed with COVID-19, but her "Vaccine Pass" stored in the LHS was changed to Red Code, indicating her as infected. After the complainant followed-up with relevant departments, her Vaccine Pass was restored to Blue Code a few days later, but still mistook her as having had an infection.

Our investigation revealed that the incident was caused by a human error on the part of the staff of a Community Testing Station, who inputted the information of a tested person incorrectly, staff of the Department of Health ("DH") found anomalies in the data and failed to deal with them properly on two occasions. When the anomalies were first discovered, staff of DH only changed the name of the confirmed patient to that of the complainant's daughter without carefully cross-checking the information, causing the Red Code. Another DH staff member discovered the error on the following day and updated the list of confirmed patients and restored the Blue Code but did not report the incident for any special handling, resulting in the erroneous record of infection. We consider the error serious. The addition of Red Code in Vaccine Pass is for more precise control on confirmed patients preventing them from entering the scheduled premises. As the Vaccine Pass at that time touched almost every aspect of people's daily life, failure to meet the requirements would have a significant impact on the members of the public.

教育局
Education Bureau



于2019冠状病毒病疫情期间恢复全日面授课堂的安排

投诉人指教育局在疫情期间，在恢复全日面授课堂及课外活动方面无理为本地学校及国际学校订定不同要求。

教育局解释，疫情严峻时，所有面授课堂及课外活动均须暂停；当疫情缓和，该局会因应各类学校的情况作出安排。非本地课程私校（包括国际学校）运作模式与本地学校不同，例如非本地课程私校的学生透过互动课堂及小组讨论／活动／实验等学习知识及接受评核，学习进程必须维持，以确保随时返回原居国家继续学业的学生能顺利过渡。该些学校的校舍亦有较大空间实施额外预防措施，故该局容许学校申请恢复全日面授课堂。相关政策及措施是经咨询学界及持份者后制订。本地学校及非本地课程私校的课外活动安排则一致。

教育局强调该局考虑了学校实施额外社交距离措施的能力及学生的学习需要。本署并无理据质疑该局的判断，但认为该局在向公众解释制订不同要求背后所持的理据方面有改善空间。

EDB Unsubstantiated

Education Bureau's arrangements for resumption of full-day face-to-face classes during the COVID-19 epidemic

The complainants complained against the Education Bureau ("EDB") for unreasonably having different requirements for local and international schools to resume full-day face-to-face classes and extra-curricular activities during the COVID-19 epidemic.

EDB explained that when the epidemic was rampant, all face-to-face classes and extra-curricular activities were suspended. When it eased, it made arrangements based on the circumstances of individual types of school. Private Schools Offering Non-Local Curriculum (including international schools) operated differently from local schools. For instance, their students learnt and were assessed by engaging in face-to-face interactive and group discussions or activities, experiments, etc. Such learning momentum needed to be maintained to ensure smooth transition for students who may return to their home countries at any time. In addition, their campuses usually had more space to implement additional precautionary measures. As such, they were allowed to apply for resumption of full-day face-to-face classes. Such policies and measures were formulated in consultation with the school sector and other stakeholders. Extra-curricular activities arrangements had been the same for both types of schools.

EDB emphasised that both the capabilities to implement additional social-distancing measures and the learning needs of students had been taken into consideration. We have no grounds to dispute EDB's judgement but consider there is room for clearer dissemination of information to the public concerning the rationale behind the different requirements.

向教育局提出的建议

- 因应学生需要、持份者意见及疫情变化，定期检讨复课准则
- 改善资讯发放及对查询的回应，以便公众清楚理解该局就不同类别学校订定不同要求背后所持的理据

Recommendations to EDB

- To constantly review the class resumption criteria in consideration of students' needs, the stakeholders' views and the changing situation of the epidemic
- To improve the dissemination of information and its response to queries so that the rationale behind the differences in requirements for different types of schools could be more comprehensively understood

机电工程署
Electrical and Mechanical Services Department



机电署	EMSD	部分成立 Partially substantiated

对电力安全举报的处理

投诉人参与某非政府机构服务中心的装修工程时，发现电力工程有安全问题，遂向机电工程署（「机电署」）举报。该署指由于未能入内视察，亦没有相关电力装置的照片，故认为没有足够证据证明有人违反电力相关法例，然后结案。投诉人其后自行进入中心拍照交予该署参考，该署始重新跟进个案。投诉人质疑机电署对上述电力工程的验收工作有遗漏。他亦不满该署在要求他录取警诫供词后才立案调查，以及没有适当跟进其举报。

机电署澄清，该署并不负责验收电力工程，根据《电力条例》，有关工作应由注册电业承办商委聘注册电业工程人员进行；另外，为投诉人录取警诫供词前，该署实已立案处理其举报。惟本署调查亦发现，机电署起初的调查流程及结案决定欠稳妥，包括收到举报后不曾尝试到场视察，以及没有跟进不获回复的「检查电力装置通知书」。幸得投诉人锲而不舍地跟进，该署最终才得以发现及纠正违规的电力装置。此外，该署亦没有按指引适时书面回复投诉人调查结果。

Handling of a report of electrical unsafety

The complainant participated in the renovation of a non-governmental organisation's service centre and discovered safety hazards in the electrical work. He filed a report with the Electrical and Mechanical Services Department ("EMSD"). As EMSD could not gain entry into the centre for inspection and no photograph of the electrical installation was available, EMSD considered the evidence insufficient to substantiate any breach of electricity regulations and closed the case. Later, the complainant entered the centre of his own accord to take photographs and provided them to EMSD, which led to further investigation. The complainant queried that there were omissions in EMSD's inspection of the electrical work. He also alleged that EMSD had refused to investigate until he provided a cautioned statement, and failed to handle his report properly.

It has been clarified that the inspection of electrical work is not EMSD's responsibility, but that of registered electrical workers engaged by registered electrical contractors as required by the Electricity Ordinance. Moreover, EMSD had indeed initiated the investigation before the complainant provided the cautioned statement. However, our investigation revealed that EMSD's initial investigation process and decision to close the case were unsound, as it had not attempted to conduct a site inspection upon receipt of the complainant's report or pursued the unanswered Notice to Inspect Electrical Installation. Fortunately, with the complainant's continued efforts, EMSD eventually managed to discover and rectify the non-compliant electrical installation. Furthermore, EMSD failed to promptly issue written replies to the complainant in accordance with its guidelines.

向机电署提出的建议

- 提醒职员严格按照指引处理电力安全举报
- 检视指引，考虑加入发出「检查电力装置通知书」后的跟进程序

Recommendations to EMSD

- Remind staff to comply with the guidelines stringently when handling reports of electrical unsafety
- Review the guidelines to consider adding follow-up actions after issuing the Notice to Inspect Electrical Installation

环境保护署、规划署、地政总署及屋宇署
Environmental Protection Department, Planning Department, Lands Department and Buildings Department



环保署 EPD	不成立 Unsubstantiated
规划署 PlanD	不成立 Unsubstantiated
地政总署 LandsD	部分成立 Partially substantiated
屋宇署 BD	不成立 Unsubstantiated

对某塑胶回收场的违规问题的执管

投诉人指某塑胶回收场造成空气污染，并且涉及违例发展、占用政府土地及违规搭建上盖等问题。他向相关部门投诉后，问题仍然持续。

本署调查显示，环境保护署（「环保署」）已按相关法例跟进个案，并曾检控造成空气污染的塑胶回收场营运商。此外，规划署经实地视察和检视相关记录后认为事涉地点不涉及违例发展的判断，没有不合理之处。

至于对地政总署的投诉，本署发现其辖下某前分区寮屋管制办事处未有应负责跟进个案的分区地政处的要求，提供事涉地点的相关记录，致使个案的处理工作停滞不前。此外，事涉的分区地政处亦疏于跟进个案。

屋宇署则在收到投诉后有按其执法政策跟进个案，随后已向相关地段的业主发出清拆令；惟本署仍建议该署检视其相关工作有否可改善的空间。

Enforcement against the irregularities of a plastics recycling site

The complainant alleged that a plastics recycling site had been causing air pollution and had other irregularities such as unauthorised development, occupation of Government land and construction of an unauthorised cover. The problems persisted despite his complaints with the relevant departments.

Our investigation revealed that the Environmental Protection Department ("EPD") had followed up on the case in accordance with the relevant legislation and taken prosecution action against an operator of the plastics recycling site for causing air pollution. Besides, the Planning Department ("PlanD")'s judgement that there was no unauthorised development in the subject location after its inspections and examination of relevant records was not unreasonable.

As regards the complaint against the Lands Department ("LandsD"), we found that the former regional Squatter Control Office under it had failed to accede to the District Lands Office's request for the subject location's records, causing a lack of progress of the case, and the District Lands Office had also been slothful in following up on the matter.

The Buildings Department ("BD") had handled the case in accordance with its enforcement policy after receiving the complaint. It had subsequently issued a removal order to the relevant lot owner. That said, we still recommended that BD see whether there was room for improvement in its relevant work.

向地政总署提出的建议

- 提醒辖下各办事处日后应尽快回应其他办事处的查询；如有需要，应及早将问题提升至更高层级处理
- 采取措施防止事涉地点的政府土地再被占用
- 积极检视有否足够证据，或如有需要及可能的话，继续搜集证据，以找寻可向相关占用人提出检控的机会

Recommendations to LandsD

- To remind its offices to promptly respond to the enquiries from other offices and escalate the problem to higher level of management at an early stage if necessary
- To take measures to prevent the Government land in the subject location from being occupied again
- To examine or collect evidence for considering prosecuting the occupier(s) of the subject Government land

向屋宇署提出的建议

- 检视其就正在施工中的违例建筑工程的跟进效率是否有可改善的空间
- 当视察人员未能成功进入怀疑有须予取缔僭建物的地段时，考虑是否可以借助航拍机或其他辅助工具协助调查

Recommendations to BD

- To review the efficiency of its handling of unauthorised building works in progress
- To consider investigating cases with the assistance of drones or other suitable tools when the location of the unauthorised building works is not accessible

食物环境卫生署
Food and Environmental Hygiene Department

食环署 FEHD	部分成立 Partially substantiated

对无牌食肆的执管

投诉人指某食肆无牌经营多年，食物环境卫生署（「食环署」）虽有检控该食肆，但没有向法庭申请命令封闭该食肆。此外，该署没有回复投诉人2021年5月的查询电邮。

本署调查显示，该署曾先后两次考虑是否向法庭申请封闭令，但在等候其他政府部门提供资料期间，该署接获不同申请人就事涉处所提出食物业牌照申请，遂搁置考虑申请封闭令。本署认为，该署在处理新的牌照申请期间并无理据因先前申请人的违规行为向法庭申请封闭令。但本署发现，该署职员未有按工作指引备存巡查事涉处所的记录、涉嫌未有按指引每星期巡查及检控于事涉处所违规经营的食肆、相关政府部门久未回复亦没有再作跟进，以及该署不同组别之间的通报机制有改善空间。

该署承认未有具体回复投诉人2021年5月的查询，并为此致歉及训示有关人员改善。

Enforcement action against the operation of unlicensed restaurant

The complainant alleged that an unlicensed restaurant had operated for many years but the Food and Environmental Hygiene Department ("FEHD") had failed to apply for a Closure Order ("CO") against it. Moreover, FEHD had failed to reply to the complainant's email enquiry of May 2021.

Our investigation revealed that FEHD had twice considered to apply for a "CO". While awaiting other government departments' information, FEHD received new applications for restaurant license in respect of the same premises from different applicants. It therefore set aside the application for CO. We consider FEHD to have no basis to apply for a "CO" due to irregularities committed by the previous applicant whilst processing new applications. However, we found that FEHD staff had not followed its guidelines to keep inspection records or to inspect and prosecute the unlicensed restaurant on a weekly basis. They had also failed to follow up with the relevant government departments for the information requested when the latter had not responded for a long time. There was also room for improvement in the mechanism of internal communication between different sections of FEHD.

FEHD admitted to its failure in giving a substantive reply to the complainant's enquiry of May 2021. FEHD apologised to the complainant and instructed the staff to improve performance.

向食环署提出的建议

- 加强内部监督，确保职员按指引履行职责和妥善备存记录
- 与其他政府部门跟进有关索取资料的情况，加强协调，使部门能适时回复有关要求。若未获适时回复，须主动向有关部门跟进
- 定期检讨内部通报机制，确保牌照资讯管理系统达到预期的效果
- 提示职员适时回复市民的查询

Recommendations to FEHD

- Strengthen internal supervision to ensure that staff perform their duties according to guidelines and keep records properly
- Enhance collaboration with other government departments in following up on requests for information, so that the latter can respond in a timely manner. Take follow-up action with the departments if they have not responded promptly to the requests
- Review internal communication mechanism regularly to ensure that the enhanced licence information management system can achieve the desired results
- Remind staff to learn from this case and respond to public enquiries in a timely manner

前食物及卫生局
The then Food and Health Bureau



食卫局 FHB	部分成立 Partially Substantiated

向长者派发检测包的安排欠妥

投诉人投诉前食物及卫生局（「食卫局」）注向长者派发快速抗原测试套装（「检测包」）的安排混乱，且没有提供详情。

本署调查发现，当局负责制定相关政策及统筹派发安排，实际派发的工作由参与部门／机构及长者服务单位制定及执行。各服务单位的服务种类和对象各有不同，当局容许服务单位按各自情况，决定派发的细节。本署认为做法合理。然而，本署留意到，部分服务单位须待物流公司每次确认分发检测包的日期，以致未能更早作准备及预先通知长者。

此外，当局认为由服务单位各自制定发放资讯的安排较为合适。本署认为，长者须先作查询或亲身前往该些服务单位，才会知悉当日有否检测包派发。这除了对长者及家人造成不便，亦会增加服务单位的额外工作，并可能对服务单位的日常服务造成影响。

Confusing arrangement for the distribution of RAT Kits to the elderly

The complainant complained against the then Food and Health Bureau ("FHB")[Note] for the confusing arrangement for the distribution of Rapid Antigen Test Kits ("RAT kits") to the elderly and the lack of detailed information.

Our investigation revealed that the Bureau was responsible for formulating the relevant policy and coordinating the distribution arrangement, while the actual distribution was formulated and implemented by the participating departments/service units. The service types and target groups varied from one service unit to another. Service units were allowed to decide on the details of distribution according to their own circumstances. We consider this arrangement reasonable. However, we note that some service units had to wait for the logistics companies to confirm the delivery date of RAT kits each time. Hence, they could not make preparation and notify the elderly in advance.

Moreover, the Bureau considered it appropriate for service units to work out their own arrangement for disseminating information. The elderly could only check for the availability of RAT kits by making enquiries or visiting the service units on the day. We consider that this would not only cause inconvenience to the elderly and their family members, but also put extra workload on the service units, which might affect their daily services.

向食卫局提出的建议

- 要求物流公司制定向各服务单位分发检测包的固定日程表
- 与参与部门／机构检讨现行发放派发检测包资讯的方式

Recommendations to FHB

- request logistics company to devise regular schedule for distribution of RAT kits to service units
- Review with participating departments/service units the current method of disseminating information about the distribution of RAT kits

注：因应政府架构重组，医务卫生局（「医卫局」）自2022年7月开始负责上述工作。

Note: Due to the re-structuring of the Government, the Health Bureau ("HHB") has taken up the task since July 2022.

医务卫生局
Health Bureau



涉嫌违反《预防及控制疾病条例》及其附属规例的举报之处理

投诉人不满医务卫生局（「医卫局」）就他举报涉嫌违反预防及控制疾病相关法例（「相关法例」）的回复均答非所问，态度敷衍，并认为该局有推卸责任之嫌。

本署调查发现，医卫局于2022年6月接获投诉人有关屋苑涉嫌违反相关法例的举报后，将个案转交予民政事务总署跟进，获回复指个案不属于他们的工作范畴。该局其后两度回复投诉人，笼统提供相关法例下的规定及建议他直接向相关执法部门举报，但该局没有厘清负责部门。

本署认为，医卫局未有尝试厘清此举报职责谁属，并将澄清所应负责的部门的责任转交予市民，情况并不理想。该局的回复只笼统提及一般要求，并未有回应投诉人的具体质疑；投诉人举报的事宜发生于5月中旬，该局却提供有关生效期为6月中旬至7月中旬的社交距离措施资料，予人答非所问之感。

医卫局 HHB	成立 Substantiated

Handling of a report of suspected contraventions of Prevention and Control of Disease Ordinance and subsidiary legislation

The complainant was dissatisfied with the Health Bureau's ("HHB") replies regarding his report about suspected contraventions of relevant legislation on disease prevention and control ("relevant legislation"), none of which addressed his questions, and its perfunctory manner. He also criticised HHB for passing the buck.

Our investigation revealed that HHB referred the case to the Home Affairs Department ("HAD") after receiving the complainant's report in June 2022 against suspected contraventions of relevant legislation by a residential estate. HAD replied that the case was not within its purview. HHB then replied to the complainant twice, providing general information on relevant legislation and suggesting that he should file a report with the relevant enforcement agencies, but HHB did not clarify the responsible department(s).

We consider that HHB made no attempt to clarify which department(s) was/were responsible for this case. It shifted the duty of seeking clarification to a member of the public, which was unsatisfactory. Moreover, instead of responding to the query from the complainant, HHB only mentioned the general requirement in its replies. HHB also provided information on social distancing measures effective from mid-June to mid-July while the incident reported by the complainant occurred in mid-May. HHB's replies gave a perception that it was not answering the complainant's questions.

向医卫局提出的建议

- 厘清此个案所应负责的部门，并改善日后回复市民的查询／举报，正面回应及提供更为适切的资讯

Recommendation to HHB

- Clarify which department(s) should take responsibility for this case and improve its reply to public enquiries/reports in future with direct response and more appropriate information

医务卫生局及卫生署
Health Bureau and Department of Health



医务卫生局 HHB	部分成立 Partially substantiated
卫生署 DH	部分成立 Partially substantiated

围封强检行动安排混乱

投诉人居住的大厦于2022年2月被围封强检三天。投诉人不满围封安排混乱，她及女儿接受检测后，确诊感染2019冠状病毒病，但当局没有妥善跟进，包括没有安排她们入院或入住隔离设施、没有向她们发出隔离令／检疫令及发放抗疫物资。

本署调查发现，围封强检行动由医务卫生局负责整体管理，而负责个别围封强检的政策局或政府部门会在行动期间协调其他部门执行职务。当局没有为行动中发现的确诊个案的后续跟进作事前安排和特别部署，而只按一般与其他不是在围封强检行动找到的确诊者的情况处理，即由卫生署进行流行病学调查，追踪相关的密切接触者、安排确诊人士及其密切接触者入院或入住隔离设施，并经医院或隔离设施向其发出隔离令／检疫令。就本案而言，因确诊数字在短时间内急增，卫生署无法安排投诉人及其家人到隔离设施而没有向他们发出相关的隔离／检疫文件，亦未有人手追踪及识别投诉人女儿的密切接触者及无法向投诉人和其丈夫根据「居安抗疫」计划向他们派发快速抗原测试包及安排派送电子手环。本署认为，这个案令人质疑耗费大量人力物力并严重影响居民的围封强检行动安排混乱，未能有效达到当时「早发现、早隔离、早治疗」的政策方针。

Chaotic arrangements for the Restriction-Testing Declaration Operation

A restriction-testing declaration operation ("operation") was conducted for three days in the building resided by the complainant in February 2022. The complainant was dissatisfied with the chaotic arrangement. She and her daughter were tested positive for COVID-19 but the authority did not follow up properly, including not arranging them to hospitals or isolation facilities, issuing isolation/quarantine orders ("orders") and distributing anti-epidemic kits.

Our investigation revealed that the Health Bureau ("HHB") was responsible for the overall management while each individual operation was coordinated by the responsible bureau or government department. There was no advanced or special arrangement to follow up on the confirmed cases identified during the operation. It was handled in the same way as other confirmed cases, i.e. Department of Health ("DH") to conduct epidemiological investigation, trace the relevant close contacts, arrange admission of the persons concerned to hospitals or isolation facilities, and issue orders through the hospitals or facilities. For this case, due to a sudden surge of confirmed cases, DH was unable to arrange isolation facility for the complainant and her family, therefore no orders were issued to them; and DH did not have the manpower to trace the close contacts of the complainant's daughter and to distribute the rapid antigen test kits and electronic wristbands to the complainant and her husband under the "StayHomeSafe" Scheme. We considered that this case raised questions about the chaotic arrangements of operations, which cost a lot of manpower and resources and seriously affected the daily life of the residents, had failed to effectively achieve the objective of the prevailing policy, i.e., "early identification, early isolation and early treatment".

民政事务总署、运输署及地政总署
Home Affairs Department, Transport Department and Lands Department



运输署 TD	成立 Substantiated
地政总署 LandsD	成立 Substantiated
民政总署 HAD	部分成立 Partially substantiated

对某露天公共运输交汇处内违例停泊单车的处理

投诉人经1823投诉某露天公共运输交汇处内有违例停泊的单车。民政事务总署（「民政总署」）回复，指因运输署及地政总署尚未厘清该地点的管理权责，故暂不会采取行动。投诉人不满运输署及地政总署迟迟未厘清权责，民政总署则没有妥善地协调部门解决问题。

本署调查发现，就处理露天公共运输交汇处内违例停泊的单车的权责分工，运输署及地政总署各持己见：运输署指该地点属未批租或未拨用的政府土地；地政总署则指该地点是公共运输交汇处；双方均指对方应负责处理违泊单车问题。就以上分歧，双方仅以书信往还方式重申立场，而没有寻求解决办法，亦没有先处理违泊单车问题，以减低对市民的影响。调查亦发现，民政总署作为统筹部门，虽有介入协助处理问题，但在协调过程中不够积极果断。

Handling illegally parked bicycles at an uncovered Public Transport Interchange

The complainant lodged a complaint with 1823 about the illegally parked bicycles at an uncovered Public Transport Interchange ("PTI"). The Home Affairs Department ("HAD") responded that no action could be taken as the Transport Department ("TD") and the Lands Department ("LandsD") had yet to delineate the management responsibility for the location. Dissatisfied, the complainant complained to this Office against TD and LandsD for delay in delineating the said responsibility and HAD for not properly coordinating the Departments to resolve the problem.

Our investigation revealed that TD and LandsD had both denied responsibility for handling the illegally parked bicycles at uncovered PTIs. TD claimed that the responsibility rested with LandsD as the location was unallocated/unleased government land, while LandsD argued that TD was the managing department of PTIs. The problem dragged on while the two Departments merely repeating their stances through written correspondence. They neither tried to explore ways to resolve the dissenting views nor took actions to reduce the impact of the illegally parked bicycles by removing them first. Also, we found that HAD, despite its efforts made, was far from proactive or decisive in the course of coordination.

向运输署及地政总署提出的建议

- 尽快召开高层次会议进行磋商，若仍未能达成共识，应提交问题予相关政策局处理

Recommendation to TD and LandsD

- Arrange a senior management meeting as soon as possible to sort out the problem, and in the absence of consensus, escalate the matter to the relevant policy Bureaux for a decision

房屋局
Housing Bureau

房屋局 HB	部分成立 Partially substantiated

处理过渡性房屋的安排

本署接获多宗投诉，指称前运输及房屋局（「前运房局」）及房屋局把某政府休憩用地作过渡性房屋用途，漠视居民对政府承诺把该用地作休憩用途的渴望；以及不当豁免成功申办过渡性房屋项目的民间团体向城市规划委员会（「城规会」）申请临时用途修订规划许可和进行公众咨询。

本署调查发现，前运房局成立的过渡性房屋专责小组咨询相关部门后确认该用地未有落实康乐及其他用途的具体时间表，会继续闲置。该小组认为，事涉项目的发展以五年为限并附带日后退出方案，故不会影响事涉用地的长远发展。本署认为，前运房局和专责小组按照政府推动过渡性房屋发展的政策措施处理，以闲置的事涉用地发展短期项目，做法合理。本署亦发现，事涉项目根据城规会的决定可视为分区计划大纲图内经常准许的临时用途，无须申请规划许可及进行法定公众咨询。然而，前运房局网页有关事涉项目是否需要申请规划许可及进行法定公众咨询的资讯不准确，容易误导公众。

Handling of transitional housing projects

This Office received multiple complaints against the then Transport and Housing Bureau ("the then THB") and the Housing Bureau ("HB"), for the utilisation of an open space ("the Site") for transitional housing purposes and neglecting the expectations of the local residents arising from the Government's promise to utilise the Site for recreational purpose, as well as unreasonably exempting the community organisation awarded the transitional housing project ("the Project") from applying for amendment to planning permission for the proposed temporary use and conducting public consultation.

Our investigation revealed that, the task force on transitional housing established by the then THB ("the Task Force") ascertained with departments concerned that detailed schedules for the provisions of recreational or other facilities on the Site concerned had yet to be drawn up and the Site would remain vacant. As the Project would last for a maximum of five years and has an exit plan, the Task Force considered that it would not affect the long- term development of the Site. This Office considers the then THB and Task Force to have handled the matter in accordance with the Government's policy for promoting the development of transitional housing and it was reasonable to utilise the Site which was vacant for short term development. Our investigation also revealed that the Project was regarded as a temporary use always permitted under the Outline Zoning Plan. As such, application for planning permission and statutory public consultation were not required. Nevertheless, the information published on the then THB's webpage about the requirement for applying planning permission and conducting public consultation was not accurate and could have easily misled the public.

向房屋局提出的建议

- 检视有关公布过渡性房屋项目的资讯发放，确保资讯准确
- 继续与居民保持良好沟通，平衡事涉项目的发展和居民对项目设计的关注

Recommendations to HB

- To review information dissemination for transitional housing projects to ensure accuracy
- To continue to maintain effective communication with residents to strike a balance between the development of the Project and the residents' concerns about the design of the Project

房屋署
Housing Department



对租户违规加装晾衣架的执管

投诉人不满在向房屋署投诉某公共屋邨多个单位违规加装晾衣架后，有关违规问题持续，且出现新违规个案。

本署调查发现，房屋署收到投诉后有视察及向违规租户发出「修复通知书」（「通知书」），要求在60日内纠正问题。然而，限期届满后，该署只口头要求仍未遵从的租户拆除晾衣架，并无采取进一步行动（例如发出书面警告解说没有遵从通知书的后果）。在53户拆除违规晾衣架后，仍有一户没有遵从。房屋署一方面向违规租户发出通知书要求在指定限期前纠正问题，另一方面未有严正要求该仍未遵从的租户尽快纠正问题，令人产生该署执管行动不一致的观感，亦可能会令该名租户甚或其他人误以为没有遵从通知书并无后果，令该署日后可能难以藉发出通知书有效地纠正违规行为。

房屋署 HD	部分成立 Partially substantiated

Enforcement actions against unauthorised laundry racks installed by public housing tenants

The complainant was dissatisfied that after he had complained to the Housing Department ("HD") about unauthorised laundry racks installed on the external walls of many flats in a public housing estate ("the Problem"), the Problem persisted, and new unauthorised laundry racks had appeared.

Our investigation revealed that after receiving the complaint, HD conducted inspections and issued enforcement notices to the tenants concerned, requiring them to rectify the Problem within 60 days. However, HD did not take any further action against the non-compliant tenants (such as issuing a written warning about the consequences of non-compliance with the enforcement notice). After 53 tenants had complied with the enforcement notices, one still failed to do so. While issuing enforcement notices to non-compliant tenants to require rectification, HD, on the other hand, failed to stringently demand that the remaining tenant rectify the Problem as soon as possible. It would give an impression of disparity in enforcement against the Problem. The tenant concerned and even other tenants might mistake that causing the Problem or not complying with the enforcement notice would have no consequences. As such, HD might find it difficult in future to effectively address irregularities by issuing enforcement notices to tenants.

向房屋署提出的建议

- 在有需要时尽快向迟迟未遵从通知书的租户采取进一步执管行动，包括发出书面警告，解说不遵从的后果

Recommendation to HD

- To take further action promptly, when necessary, against non-compliance, including issuing a written warning about the consequences of non-compliance with an enforcement notice

康乐及文化事务署
Leisure and Cultural Services Department



康文署 LCSD 不成立 Unsubstantiated

预订体育场地的新措施

数名投诉人称，康乐及文化事务署（「康文署」）将订场柜台及自助服务站接受预订的时间推迟至上午7时15分开始而维持「康体通」网上预订服务于上午7时开始的安排（「事涉安排」），对不谙使用「康体通」及排队订场的真正用家造成不便和不公。「康体通」于繁忙时段挤塞，而不少用作「炒场」的订场是以电脑程式经网上平台进行，故投诉人质疑推行事涉安排的理据。

本署调查发现，康文署的分析显示大量怀疑用作「炒场」的场地是经柜台或自助服务站租订，事涉安排有助避免因不同预订途径需时长短不一而产生不公。事涉安排推行后，排队订场的人数锐减，早上7时15分后仍有大量繁忙时段受欢迎的设施可供预订，该署亦新增「智方便」登入「康体通」以简化步骤。本署认为，康文署在实施事涉安排前已作审慎考虑，平衡利弊，并无证据显示当中涉及行政失当。「康体通」网络挤塞的问题有待新系统推行才有望解决。康文署亦已采取措施应对以电脑程式于网上平台订场的情况，从行政角度而言并无失当。

New measures for booking of sports venues

The complainants alleged that the Leisure and Cultural Services Department ("LCSD") had postponed the service commencement at counters and self-service kiosks to 7:15 a.m. while maintaining the 7:00 a.m. commencement time of the online booking service, "Leisure Link" ("the Arrangement"), which caused inconvenience and unfairness to those who were not familiar with using "Leisure Link" and to those genuine users who queue up for booking. "Leisure Link" was often overloaded during peak hours. Computer programmes were often used to book venues via "Leisure Link" for "touting". The complainants thus questioned the rationale of the Arrangement.

Our investigation revealed that LCSD's analysis showed that most of the suspected "touting" transactions were booked through counters or self-service kiosks. The Arrangement helps prevent unfairness resulted from the different processing time of various booking channels. After the Arrangement was implemented, the number of queuers dropped sharply. Many peak-hour sessions at popular facilities were still available after 7:15 a.m. LCSD has simplified the procedure for accessing "Leisure Link" through allowing login using "iAMSmart". We considered that LCSD had thoroughly assessed and weighed up the pros and cons before implementing the Arrangement, and there is no evidence of maladministration. The problem of system overload can only be solved when the new system is implemented. LCSD has also taken counter-measures against using computer programmes to book venues online. There is no impropriety from an administrative perspective.

邮政署和前食物及卫生局
Post Office and the then Food and Health Bureau



邮政署 PO	不成立 Unsubstantiated
食卫局 FHB	成立 Substantiated

于指定邮政局申报非本地新冠疫苗接种纪录的安排

投诉人投诉邮政署及前食物及卫生局（「食卫局」）没有调拨足够资源处理大量的非本地新冠疫苗接种纪录申报（「申报」）。他又批评预设的每日登记名额不合理，并质疑是否必须亲身办理申报。

本署调查发现，食卫局自2021年9月起委托邮政署在指定邮政局提供登记服务，初期服务运作畅顺，但随着食卫局的网上申报平台暂停服务及「疫苗通行证」的不同阶段实施，登记量骤增并且大幅超出食卫局的估算。就此，邮政署要求食卫局重新启动网上平台，惟该局拒绝。食卫局解释要求亲身办理是为了加强申报资料的可信度。直至2022年5月底，食卫局才重新启动网上平台。同时，邮政署亦开发网上预约系统以管理人流及增设服务柜位。

本署认为，作为服务代理，邮政署已在其职责范围内适当监察情况及跟进。然而食卫局就市民必须亲临邮政局申报的解释，本署认为不合理。本署亦认为投诉人的遭遇源于网上申报平台暂停过久，该局应及早重新启动网上平台。

Implementation of declaration of non-local COVID-19 vaccination records at designated Post Offices

The complainant complained against the Post Office (“PO”) and the then Food and Health Bureau (“FHB”) for deploying insufficient resources to deal with the large number of applications for the declaration of non-local COVID-19 vaccination records (“the declaration”). He also criticised that the daily quota for handling the declaration was unreasonable and questioned the necessity to complete the declaration face-to-face.

Our investigation revealed that since September 2021, FHB commissioned PO to provide registration service at designated post offices and it ran smoothly initially. However, with the suspension of the online declaration platform by FHB and the implementation of different stages of Vaccine Pass, the registration volume increased suddenly, and the traffic was much higher than FHB’s estimation. PO had requested FHB to relaunch the online platform but the request was turned down. FHB explained that the requirement of face-to-face declaration aimed at giving more credence to the declaration made. It was not until end of May 2022 that FHB relaunched the online platform. In the meantime, PO developed an online booking system to manage queuing and increased the number of service counters.

As a service agent, PO had within its ambit appropriately monitored the situation and taken follow-up actions. As for FHB, we do not find its explanation for requiring face-to-face declaration reasonable and we consider the complainant’s situation attributable to the prolonged suspension of the online declaration platform, which FHB should have revamped sooner.

运输署及邮政署
Transport Department and Post Office



运输署 **TD**	部分成立 Partially substantiated
邮政署 **PO**	部分成立 Partially substantiated

新冠病毒病疫情期间续领车辆登记文件的派递

投诉人以邮递方式申请续领车辆牌照。运输署在完成处理后，指已以挂号方式把续领的车牌及车辆登记文件正本（「事涉邮件」）寄回给投诉人。然而，投诉人表示没有收到。原来邮政署只是将有关邮件放入投诉人的邮箱，与挂号邮件的恒常派递安排有异。运输署要求投诉人支付额外费用以重发车牌和车辆登记文件。投诉人认为运输署的建议僵化及不合理。他亦不满两署用过长的时间追查事涉邮件。

本署调查发现，邮政署因应疫情采取特别派递安排，将挂号信件放入收件人的信箱。虽然有关安排并非不合理，但安排未必符合公众的期望，邮政署亦应更积极地把有关特别派递安排信息发放给市民。

运输署职员应早意识到事涉邮件只是被放入信箱，而不是像往常派递挂号邮件般亲身派递。至于花了长时间追查事涉邮件亦很大程度是与邮政署坚持事涉邮件已成功派递有关。若运输署及邮政署能更紧密地合作，运输署应可提出更切实可行的建议或行使其酌情权早些向投诉人重发车牌和车辆登记文件。

本署欣悉，运输署已就未收到挂号邮件的查询／投诉制定指引，并更新相关指引以确认邮政署是否按其既定派递方式处理邮件。

Delivery of renewed Vehicle Registration Document during the epidemic

The complainant applied through post for the renewal of vehicle licence (“VL”). After processing, the Transport Department (“TD”) sent to the complainant the renewed VL and Vehicle Registration Document (“VRD”) by registered mail (“the Mail Item”) which the complainant said he did not receive. It was found that the Post Office (“PO”) had simply put the Mail Item into his mailbox, which deviated from its normal protocol of delivering a registered mail item. To resolve the situation, TD asked the complainant to pay extra fees for the reissue of renewed VL and VRD. The complainant considered TD’s proposal rigid and unreasonable. He was also dissatisfied with the unreasonably long time TD and PO took to trace the Mail Item.

Our investigation revealed that PO had been adopting special delivery arrangements during the epidemic. Registered mail items were delivered into the addressee’s letter box. While we consider such arrangement not unreasonable, it might fall short of public expectation and PO could have been more proactive in disseminating information about various special arrangements.

TD staff could have realised that the Mail Item was only inserted into the letter box but not delivered in person as registered mail items normally were. The long time taken to trace the Mail Item was attributable to PO’s insistence that it was successfully delivered. Should TD and PO have worked more closely together, TD could have made more practicable suggestion or exercised its discretion to re-issue VL and VRD to the complainant earlier.

This Office is pleased to note that TD had drawn up guidelines for handling enquiries/complaints concerning non-receipt of registered mail, and updated guidelines to seek PO’s confirmation on whether the delivery protocols have been complied with.

重新评审个案及覆检个案

Re-assessment of Cases and Review of Cases

在年度内，本署重新评审了276宗个案，其后就当中134宗个案重新展开查讯。此外，我们覆检了102宗个案，就其中101宗个案维持原来的决定。

During the year we re-assessed 276 cases, with 134 cases subsequently re-opened. Moreover, we reviewed 102 cases. Conclusions were upheld for all these cases except one.

司法覆核及诉讼

Judicial Review and Litigation

投诉人如不满意我们的决定，除了可要求本署覆检其个案外，亦可入禀法院提出司法覆核。在年度内，法院在聆讯后判决，驳回三宗诉讼案件。

A complainant not satisfied with our conclusion may, apart from requesting a review by this Office, seek a judicial review by the court. During the year, three litigation cases against The Ombudsman were heard by the Court with judgments handed down. All were dismissed by the Court.

诉讼案件概述 **Brief description of the litigation case**	判决 **Judgement by the court**
投诉人不满申诉专员就他对医院管理局和法律援助署的投诉之处理，申请司法覆核许可。 A complainant applied for leave to apply for judicial review against The Ombudsman's handling of his complaints against the Hospital Authority and the Legal Aid Department.	• 原讼法庭于2021年9月驳回其申请。 The application was refused by the Court of First Instance in September 2021. • 上诉法庭于2022年7月驳回其上诉许可申请及他对法院诉讼程序提出的申请，并判申诉专员获付有关讼费。 In July 2022, the Court of Appeal dismissed Applicant's application for leave to appeal against the Court decision and his applications against the court proceedings with costs to The Ombudsman.
投诉人不满申诉专员以《申诉专员条例》第8条及附表2为依据不受理其投诉的决定，申请司法覆核许可。 A complainant applied for leave to apply for judicial review against The Ombudsman's decision on not taking up his complaint on the basis of section 8 and Schedule 2 of The Ombudsman Ordinance.	• 原讼法庭于2022年11月驳回其申请。 The application was refused by the Court of First Instance in November 2022. • 申请人就该项决定向上诉法庭申请上诉许可，有待法庭作出裁定。 Applicant's application for leave to appeal against the Court's decision is in progress.
投诉人就申诉专员处理其投诉时向非其投诉对象的机构查询，申请司法覆核许可。 A complainant applied for leave to apply for judicial review against The Ombudsman's handling of his complaint by making an enquiry with an entity which was not a subject of his complaint.	• 原讼法庭于2022年12月驳回其申请。 The application was refused by the Court of First Instance in December 2022. • 申请人就该项决定向上诉法庭申请上诉许可，有待法庭作出裁定。 Applicant's application for leave to appeal against the Court's decision is in progress.

调解
Mediation

何谓调解

调解是另类排解纠纷方法，旨在快捷及和平地解决不涉及或只涉及轻微行政失当的投诉个案。

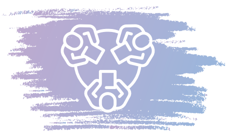
What is Mediation?

Mediation is a means of alternative dispute resolution aiming at resolving complaints involving minor or no maladministration efficiently and amicably.

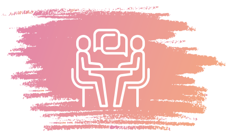
调解的好处
Advantages of Mediation



快捷
Efficient



非对立
Non-adversarial



解决争议为本
Solution-focused



达致双赢
Win-win

调解程序
Procedures of Mediation



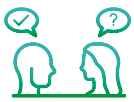
物色适合以调解方式处理的个案
Identify suitable cases for mediation



先征求投诉人和被投诉机构的同意自愿参与
Seek prior consent from both the complainant and the organisation under complaint for their voluntary participation



以面谈、电话或线上形式举行调解会议
Conduct mediation meeting in person, through telephone, or online



讨论问题并寻求可行的解决方案
Discuss problems and explore possible options for resolution



达成双方均接受的和解协议（如有需要，以适当形式拟备和解协议，惟协议的条款不可违反法律或导致参与机构作出涉及行政失当的决定或举措。）
Reach a mutually acceptable settlement agreement (A settlement agreement may be drawn up in an appropriate form, where necessary, but the agreed terms must not breach the law or lead to decisions or acts of maladministration by the participating organisation.)

或
OR



调解若不成功，另派个案主任重新处理投诉
Assign another case officer to take over the complaint and examine it afresh in case of unsuccessful mediation

本署的工作表现

调解旨在联系投诉人与被投诉机构，共同寻求满意的解决方案，从而平息纷争，达致和谐。在调解过程中，本署首先积极物色只涉及轻微的行政失当，或不涉及行政失当的投诉个案，在确认双方愿意调解后，由我们的调解员居中调停，进行坦诚、融洽和专注于解决问题的讨论，以厘清误会，探讨可行办法并达致和解。根据过去的经验，调解无疑是快捷有效的排解纠纷方式。在2022/23年度，本署尝试以调解方式处理的个案共306宗，当中有305宗获成功调解，创历来最高。

本年度经调解后终结的305宗投诉个案中，有182宗（占59.7%）与新冠疫情相关，主要涉及防疫抗疫基金下各项计划的申请，以及防疫政策的各类措施。



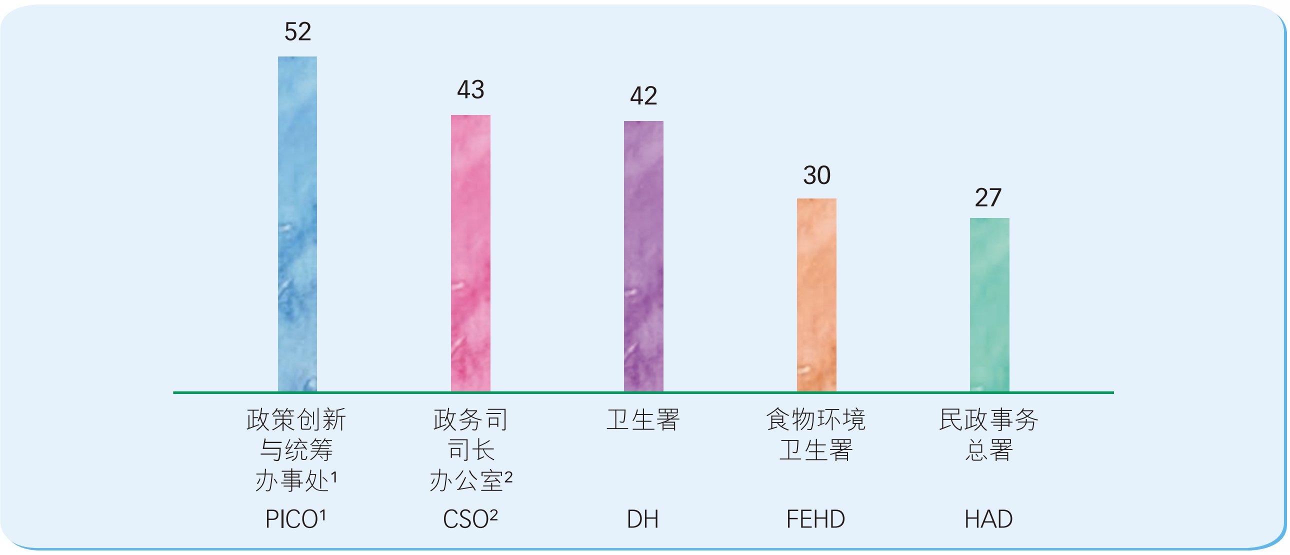
调解个案 **306**
Mediation Cases

Our Performance

The purpose of mediation is to bring the parties concerned together to look for solutions to their satisfaction so that they can move beyond the dispute and maintain a harmonious relationship. In the process, we started off by proactively identifying cases involving minor or no maladministration, then sounding out the parties to the complaint before acting as an intermediary to facilitate a candid, amicable and solution-focused discussion such that they can clarify any misunderstanding, explore options and reach a settlement. Time and again, mediation has proven to be an effective and speedy way of complaint resolution. In 2022/23, we attempted to resolve 306 cases by mediation, of which 305 were successful – a record high.

Of the 305 complaints resolved through mediation in the year, 182 cases (or 59.7%) were pandemic-related, which concerned mainly the processing of applications for various schemes under the Anti-epidemic Fund and implementation of various anti-epidemic policies.

最多成功调解个案的五间机构（2022/23年度）
Top Five Organisations with Successfully Mediated Cases (2022/23)



调解
Mediation

经本署的调解服务解决最多投诉的五间机构，依次是政策创新与统筹办事处[1]（「创新办」）（52宗，占17%）、政务司司长办公室[2]（43宗，占14.1%）、卫生署（42宗，占13.8%）、食物环境卫生署（30宗，占9.8%）及民政事务总署（「民政总署」）（27宗，占8.9%），其中大多是防疫政策及措施的执行部门。

The top five organisations resolving complaints through our mediation endeavours were the Policy Innovation and Co-ordination Office[1] ("PICO") (52 cases or 17%), the Chief Secretary for Administration's Office[2] ("CSO") (43 cases or 14.1%), the Department of Health ("DH") (42 cases or 13.8%), the Food and Environmental Hygiene Department ("FEHD") (30 cases or 9.8%) and the Home Affairs Department ("HAD") (27 cases or 8.9%), most of which were engaged in implementing pandemic-related policies/measures.

回顾这些个案，我们发觉调解特别适宜处理某类与疫情相关的投诉，凭藉调解员孜孜不倦地在双方之间协调和斡旋，能够迅速有效地解决问题，抒解不满。

Looking back, mediation has been a particularly effective and efficient means to resolve certain categories of pandemic-related complaints as quick fixes/redress were made possible through our mediators' tireless shuttling on the heels of complaints.

创新办、政务司司长办公室及民政总署均负责审批防疫抗疫基金下各项计划的申请，本年度以调解方式解决相当大量的个案，大部分涉及「临时失业支援」计划和「2022保就业」计划。

PICO, CSO and HAD, which were responsible for processing applications for various schemes under the Anti-epidemic Fund, resolved a significant number of cases through mediation this year. The schemes concerned in most mediation cases are the Temporary Unemployment Relief Scheme and 2022 Employment Support Scheme.

初次参与调解的卫生署，本年度即已录得42宗成功调解个案的佳绩，显然与该署专职落实防疫政策及措施有关，包括发出疫苗接种纪录、检疫令及隔离令、2019冠状病毒病测试阳性人士纪录、康复纪录二维码等证明文件。

While DH was new to our mediation, there were fruitful results with 42 successful mediation cases this year, mainly related to its significant role in implementing anti-epidemic policies/measures, such as the issuance of vaccination records, quarantine and isolation orders, records of persons tested positive for COVID-19 and recovery record QR codes.

医务卫生局和物业管理业监管局亦属首次参与调解。本署期望日后有更多机构尝试以调解方式处理投诉。

The Health Bureau and the Property Management Services Authority also participated for the first time. We look forward to more organisations trying to resolve complaints by mediation.

在2022/23年度，以调解方式终结的投诉个案平均需时仅11.6天，较上年度的平均时间缩短1.8天；当中逾64%及91%的个案分别于十天及一个月内终结（在2021/22年度为54%及92%）。

In 2022/23, the average lead-time taken to resolve a complaint through mediation went further down to 11.6 days (1.8 days faster than the previous year); and over 64% and 91% were settled within 10 days and a month respectively (as compared with 54% and 92% in 2021/22).

1 于2022年6月底解散。
2 自2022年7月1日起接掌「2022保就业」计划。

1 Dissolved at the end of June 2022.
2 Took up the 2022 Employment Support Scheme from 1 July 2022.

成功调解个案的性质（2022/23年度）
Successfully Mediated Cases by Nature of Complaint (2022/23)



- 38.5% 出错、意见／决定错误 Error, wrong advice/decision
- 30.9% 延误／没有采取行动 Delay/inaction
- 14.5% 没有回应投诉 Lack of response to complaint
- 4.8% 监管不力 Ineffective control
- 4.8% 程序不妥 Faulty procedures
- 2% 不按程序办事 Failure to follow procedures
- 1.7% 职员态度欠佳 Poor staff attitude
- 1.4% 其他 Others
- 1.1% 办事疏忽，有缺失遗漏的情况 Negligence, omissions
- 0.3% 厚此薄彼、处事不公 Disparity in treatment, unfairness

赞赏

调解成功后，本署会以问卷调查方式搜集投诉人及参与机构对本署调解服务的意见。在本年度，逾90%交回问卷的投诉人及所有参与机构均对我们的调解服务与安排及本署调解员的表现表示满意。以下摘录部分评语。

Compliments

Upon successful conclusion of mediation, we invited the complainants and participating organisations to provide us with feedback through our questionnaire survey. In this year, over 90% of the respondent complainants and all participating organisations were satisfied with our mediation service and arrangements and the performance of our mediators. The following are some examples of the feedback we received.

> 成功调解有赖专员愿意细心了解案情，以第三者身份向市民厘清误会之处。

> 本人对调解员的工作态度、主动热诚，深感谢意。在此感谢他的帮助，希望事情能完满解决。

> Very efficient service with passion. Keep Going!

> 贵署职员处理本人投诉表现积极及快捷，应受赞赏！

调解
Mediation

Mediation enhanced overall efficiency of case handling and complainants could receive relevant records promptly.

双方沟通让我感觉踏实及希望；透过今次贵署提供的调解，让我周边的朋友及同事感觉良好，增加对贵署的信任。也希望我今次投诉的政府部门能合情合理的态度来处理覆核。感谢！

没有建议，只有称赞。贵署同事耐心了解本人投诉的始末，迅速处理并解决我遇到的问题。这次经验令我知道，我这种小市民也不是投诉无门。谢谢！

Mediation Service will enhance the overall efficiency for handling the case, especially that the members of public can collect the required record/certification in a short period of time.

调解人员服务态度诚恳，不偏不倚，对尽快处理纷争有良好的帮助。为节省宝贵资源，建议贵署继续以调解的方式处理纷争。

乐于助人，细心解释，对一个无助的人有帮助。

这次调解除了能够达到我的目的，并且非常快捷。细心聆听我的诉求及提供非常专业的意见及跟进，只需二天的时间就能解决我的问题，令我感到非常满意，表现出色，赞赞赞。

Mediation is effective in helping the complainants and the department welcomed mediation for simple and straightforward cases.

个案跟进十分满意，调解员表现出专业态度，可以达致大家双赢。

Appreciated the mediator's effort to keep me informed during the process such that I could better understand what was going on at the back scene. With the support of the Ombudsman, my situation with the Bureau is resolved within a reasonable timeframe. Thank you for the assistance and service.

调解奖

本署自2018年起在申诉专员嘉许奖计划下增设调解奖，以表扬致力参与调解的机构及他们的出色表现。

Award on Mediation

To acknowledge the participating organisations' commitment to and excellence in mediation, we have introduced an Award on Mediation in The Ombudsman's Award since 2018.

2018年得奖机构 – 房屋署
2018 – Housing Department

积极回应本署提出以调解方式处理个案的建议。
For proactive attitude towards our invitation to mediation.

2019年得奖机构 – 食物环境卫生署
2019 – Food and Environmental Hygiene Department

采取务实态度与投诉人探讨解决问题的双赢方案。
For adopting a pragmatic approach in exploring win-win solutions by jointly resolving problems with the complainants.

2020年得奖机构 – 在职家庭及学生资助事务处
2020 – Working Family and Student Financial Assistance Agency

迅速回应投诉人关注的事项，亦提出务实及具建设性的方案以解决投诉。同时，该年度以调解方式处理的个案数目显著上升（由2018/19年度仅一宗增至2019/20年度的25宗）。
For swiftly responding to the complainants' concerns and providing pragmatic and constructive suggestions for complaint resolution in the face of a remarkable increase in complaint cases in the respective financial year (from only one case in 2018/19 to 25 in 2019/20).

2021年得奖机构 – 屋宇署
2021 – Buildings Department

以清晰浅白的用语向投诉人解释其执法政策、程序，以至实地视察技术的细节，从而消除误会及争议，找出解决方法。
For explaining to complainants in clear and plain terms its enforcement policies, procedures and even technicalities in respect of in-situ inspection techniques to eliminate misunderstandings and hence shift from disputes to solutions.

2022年得奖机构 – 康乐及文化事务署
2022 – Leisure and Cultural Services Department

态度积极，迅速回应投诉人对前线运作和服务的疑问和查询，并且乐意探讨投诉人建议的方案。
For promptly and proactively responding to the complainants' enquiries and queries relating to frontline operations and services and for willingness to explore suggestions raised by the complainants.

公开资料
Access to Information

本署的职能包括就违反《公开资料守则》(「《守则》」)的投诉展开调查。

One of our functions is to investigate complaints on non-compliance with the Code on Access to Information ("the Code").

公开透明的政府

《守则》是政府采用的一套行政指引。《守则》规定其适用的所有政府部门和公营机构须惯常地或因应要求提供管有的资料,除非有《守则》载列可拒绝披露资料的理由。《守则》体现政府明白市民有需要充分认识政府及其提供的服务,以及对个人和整个社会均有影响的政策和决定的依据。

Transparent Government

The Code is a set of administrative guidelines adopted by the Government. All Government departments and public bodies to which the Code applies are required to provide information they hold routinely or on request, unless there are specific reasons under the Code to withhold it. The Code recognises the need for the public to be well informed about the Government, its services and the basis for policies and decisions that affect individuals and the community as a whole.

涉及公开资料的投诉

与公开资料有关的投诉个案分为两类:

- 涉及《守则》涵盖的政府部门或公营机构的投诉
- 涉及《守则》涵盖范围以外的公营机构的投诉

政府的统计数字显示,被拒的索取资料要求维持在较低水平。事实上,要求被拒而向本署投诉的个案只占少数。在本年度,本署接到涉及公开资料的投诉个案共有67宗,为过去五年最低。在已终结的71宗涉及公开资料的个案中,本署发现当中18宗(25%)有不足之处,相比2019/20年度的48%、2020/21年度的43%及2021/22年度的32%,亦属近年最低。由此可合理推断政府部门和公营机构对《守则》已日趋熟悉。

Complaints on Access to Information

There are two types of complaint cases related to access to information ("ATI"):

- complaints against Government departments or public bodies covered by the Code
- complaints against public organisations not covered by the Code

Government statistics show that refused information requests have been staying at relatively low levels. In fact, only a small portion of refused requests have ended up as complaints to our Office. During the year, we received a total of 67 complaints about ATI which was the lowest in the past five years. Among the 71 ATI complaints concluded, inadequacies were found in 18 cases (25%), again the lowest in recent years in comparison with 2019/20 (48%), 2020/21 (43%) and 2021/22 (32%). A reasonable inference is Government departments and public bodies have become more conversant with the Code.

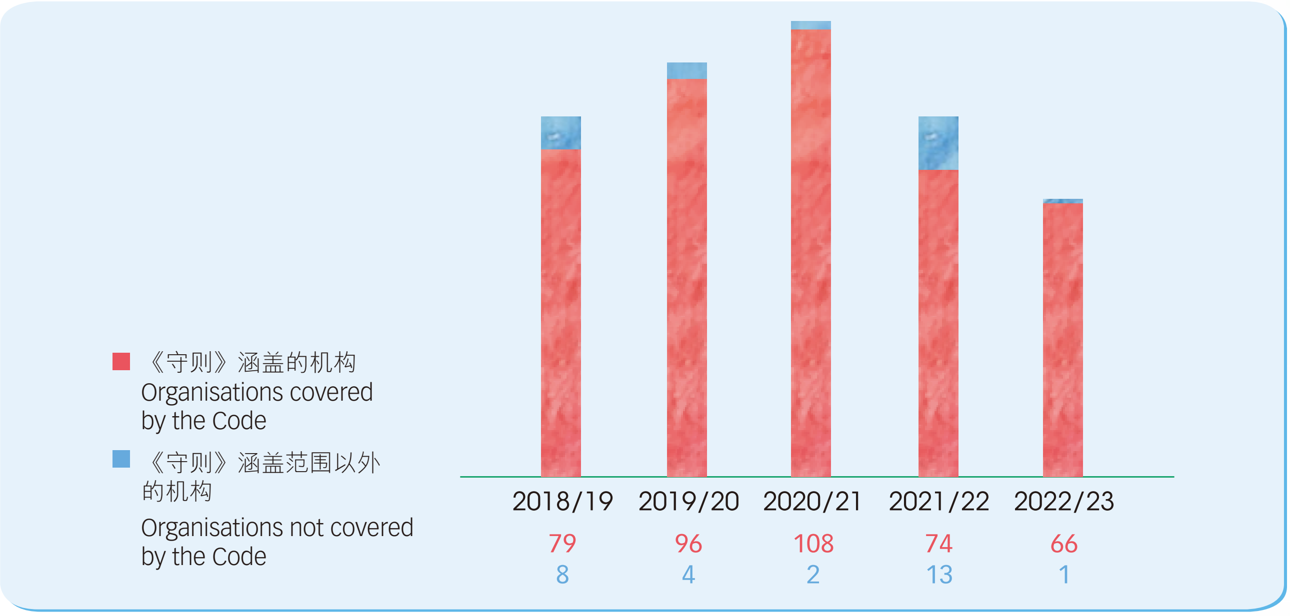
涉及公开资料的投诉(2022年4月1日至2023年3月31日期间的统计数据)
ATI Complaints (Statistics between 1 April 2022 and 31 March 2023)

		《守则》涵盖的机构 Organisations covered by the Code	《守则》涵盖范围以外的机构 Organisations not covered by the Code
接到的投诉	Complaints received	66	1
已终结的个案*	Complaints concluded*	69	2

* 包括由上年度转入的个案

* Including those carried forward from last year

过去五年涉及公开资料的投诉数目
Number of ATI Complaints in the Past Five Years



涉及公开资料的投诉中发现的不足之处数目
Number of Inadequacies Found in ATI Complaints



5 (20.8%)	超逾目标回复时间 Failure to meet target response time
4 (16.7%)	对《守则》的条文诠释有误 Wrong interpretation of provision of Code
3 (12.5%)	没有与投诉人探讨修改索取资料要求的可能性 Failure to discuss with complainant the possibility of modifying the ATI request
3 (12.5%)	没有提供拒绝理由 Failure to provide reason for refusal
2 (8.3%)	没有通知投诉人内部覆检或投诉渠道 Failure to inform complainant of channels for internal review/complaint
2 (8.3%)	未能正确引用第2部的拒绝理由 Inappropriate Part 2 reason cited for refusal
2 (8.3%)	无理拒绝提供资料／阻挠索取资料 Unreasonable refusal/hindrance
3 (12.5%)	其他 Others

注1. 经四舍五入后，百分比的总计未必等如100%。
注2. 一宗投诉个案可能涉及多项不足之处。

Note 1. Percentages may not add up to 100% due to rounding.
Note 2. A complaint case may involve more than one inadequacy.

下文载列涉及公开资料的个案撮要选录。

Summaries of selected ATI cases are as follows.

各报告全文可于本署网页浏览
All the full reports are available on our website
www.ombudsman.hk

教育局
Education Bureau



拒绝提供退学人数及退学率

投诉人要求教育局提供连续三个学年的全港小学（包括私立学校）退学人数及退学率。教育局援引《守则》第2.13(a)段（如披露与不完整或未完成的分析、研究或统计有关的资料，可能会令人产生误解），拒绝向投诉人提供资料。

本署的查讯显示，教育局透过电子平台从学校搜集学生资料作教育相关用途，当中收集的离校／缺课学生资料，目的是为跟进怀疑辍学个案，而非为计算退学人数及退学率而设。加上教育局并没有强制私立及国际学校参与使用该平台，故即使该局尝试以现有资料编制投诉人所要求的退学统计数字，亦难以确定有关离校学生是否已退出本港教育体系，编制出来的退学统计数字将不完整或具误导性。因此，本署认为，教育局有理由援引《守则》第2.13(a)段拒绝上述要求。

结论 Conclusion	不成立 Unsubstantiated

Refusing to provide the number of dropouts and dropout rate

The complainant requested the Education Bureau ("EDB") to provide the number of dropouts and dropout rate of primary schools in Hong Kong (including private schools) for three consecutive school years. EDB refused the request by invoking paragraph 2.13(a) of the Code (information relating to incomplete analysis, research or statistics, where disclosure could be misleading).

As revealed in our inquiry, EDB maintains an e-platform for collection of student data for purposes related to education. Information about students' leaving/absence from school so collected would be used to identify suspected cases of discontinuing study. It is not for calculating the number of dropouts and dropout rate. Moreover, EDB has not made it mandatory for private schools and international schools to use the e-platform, so even if EDB had used the available information to compile statistics on dropouts as requested by the complainant, it would be difficult for EDB to ascertain whether the students concerned had left the Hong Kong education system. The statistics on dropout cases so compiled would be incomplete or misleading. Hence, we considered that EDB's refusal of the request by invoking paragraph 2.13(a) is well grounded.

财经事务及库务局
Financial Services and the Treasury Bureau



拒绝提供未来基金辖下香港增长组合的资金配置资料

投诉人向财经事务及库务局（「财库局」）索取「未来基金」辖下「香港增长组合」每家获任命的普通合伙人的名称及成立为法团的所在地，以及每家普通合伙人的配置规模。该局引用《守则》第2.8段、2.9(a)段、2.9(b)段及2.16段拒绝提供。

财库局解释，披露每家获任命的普通合伙人的名称或会令人将其所有运作及投资活动与政府连系起来，从而引起市场揣测，导致价格波动，继而破坏金融稳定。有关披露可能会削弱政府与已获任命的普通合伙人合作及任命新的普通合伙人时的议价能力及竞争地位。财库局亦解释，披露普通合伙人的配置规模可能会伤害或损害其代表政府与投资对象谈判的能力，并引起配置规模相对较小的普通合伙人的质疑，因而伤害或损害政府的竞争地位。

金融市场瞬息万变且十分敏感，财库局在评估相关风险时采取底线思维以保障金融安全及公帑的财务利益，属可理解。虽然「香港增长组合」涉及庞大公帑，故牵涉公众利益，本署接纳该局所指，披露资料造成的伤害或损害超越所涉的公众利益。

结论 Conclusion	不成立 Unsubstantiated

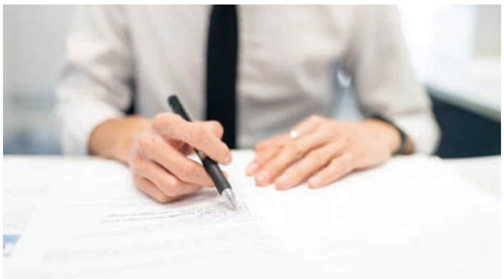
Refusing to provide information on allocations of Hong Kong Growth Portfolio of Future Fund

The complainant requested the Financial Services and the Treasury Bureau ("FSTB") to provide the full name and place of incorporation of each General Partner ("GP") appointed under the Hong Kong Growth Portfolio ("HKGP") of the Future Fund, and the mandate size of each GP. FSTB refused the request pursuant to paragraphs 2.8, 2.9(a), 2.9(b) and 2.16 of the Code.

FSTB explained that disclosing the name of each GP appointed may lead to association of all the GP's operations and investments with the Government, thereby inviting market speculations, causing price volatility and in turn undermining financial stability. Such disclosure may weaken the Government's bargaining position and competitive position in working with appointed GPs and engaging new GPs in future. FSTB also explained that disclosing the mandate size of each GP may harm or prejudice its negotiations, with investment targets on behalf of the Government, and trigger queries from those GPs accorded a relatively smaller mandate, thereby harming or prejudicing the competitive position of the Government.

It is understandable that given the dynamic and sensitive nature of the financial market, FSTB adopts a bottom-line mentality in assessing relevant risks for safeguarding financial security and financial interest of public funds. While recognising that HKGP involves substantial public funds and hence the public interest, we accepted FSTB's view that the harm or prejudice brought about by the disclosure outweighs the public interest in disclosure.

民政事务总署、运输及房屋局和地政总署
Home Affairs Department, Transport and Housing Bureau and Lands Department



结论 Conclusion 成立 Substantiated

延误回复索取资料要求

2021年9月中旬，投诉人根据《守则》要求民政事务总署（「民政总署」）辖下沙田民政事务处（「民政处」）提供某过渡性房屋项目进行咨询的资料，但最终待本署介入后才于11月中旬取得资料。本署调查发现，民政总署、运输及房屋局[注]（「运房局」）和地政总署在处理该索取资料要求时，有以下不足之处：

- 民政处没有在收到该要求后10日内回复投诉人（见《守则》第1.16段）。投诉人于10月初向1823投诉后，该处才要求运房局和地政总署辖下沙田地政处（「地政处」）跟进及直接回复投诉人。

- 就民政处的转介，地政处要求运房局直接回复投诉人，但没有通知投诉人上述安排（见《守则》的《诠释和应用指引》（「《指引》」）第1.15.2段）；运房局则误以为无需给投诉人初步答复（见《指引》第1.15.3段），以及民政处会统筹给投诉人的回复，遂于10月下旬以电邮传送资料予该处而没有直接回复投诉人。

Delay in replying to a request for information

In mid-September 2021, the complainant requested the Sha Tin District Office ("DO") under the Home Affairs Department ("HAD") to provide information on a transitional housing project under consultation in accordance with the Code. Yet, the complainant only got the information in mid-November upon our intervention. Our investigation revealed the following inadequacies on the part of HAD, the Transport and Housing Bureau[Note] ("THB") and the Lands Department ("LandsD") in handling the request:

- DO did not reply to the complainant within 10 days upon receipt of the request (see paragraph 1.16 of the Code). DO asked THB and the Sha Tin District Lands Office ("DLO") under LandsD to follow up and reply to the complainant direct only after the complainant complained to 1823 in early October.

- Regarding DO's referral, DLO asked THB to reply to the complainant direct but did not inform him accordingly (see paragraph 1.15.2 of Guidelines on Interpretation and Application of the Code ("the Guidelines")); THB mistook that it needed not give the complainant an interim reply (see paragraph 1.15.3 of the Guidelines) and that DO would coordinate a reply to the complainant, so it emailed the information to DO in late October instead of giving the complainant a direct reply.

注： 运输及房屋局于2022年7月1日起，分拆为运输及物流局和房屋局。

Note: The Transport and Housing Bureau was split into the Transport and Logistics Bureau and the Housing Bureau with effect from 1 July 2022.

- 民政处发现运房局10月下旬的电邮出现乱码，并以为电邮属误传而无需跟进。本署介入后，运房局于11月中旬向该处查问，该处才将有关资料转发给投诉人。

民政处及运房局在本署调查期间，已主动提醒职员应与相关部门保持紧密沟通，及按《守则》适时回复市民；运房局并承诺会加强培训职员对《守则》的要求的认识。

- DO found that THB's email was garbled, and took it as a misdirected one requiring no follow-up. It was not until THB enquired with DO in mid-November following our intervention that DO immediately furnished the complainant with the requested information.

During our investigation, DO and THB proactively reminded their staff to maintain close communication with relevant departments and respond to the public in a timely manner in accordance with the Code; THB also undertook to strengthen staff training on the Code's requirements.

建议

向民政总署提出的建议

- 就乱码电邮检视电邮系统的设定，查找及解决相关的技术问题

向地政总署提出的建议

- 就处理索取资料要求加强培训，提升职员对《守则》的要求的理解

Recommendations

Recommendation to HAD

- Examine the settings of its email system regarding the garbled email with a view to identifying and resolving related technical issues

Recommendation to LandsD

- Step up staff training on handling information requests to enhance their understanding of the Code's requirements

政府新闻处
Information Services Department



结论 Conclusion

投诉不成立，但机构另有缺失
Unsubstantiated but other inadequacies found

拒绝提供受邀到现场采访七一回归庆祝活动的传媒机构名单

投诉人向政府新闻处（「新闻处」）索取该处邀请到现场采访七一回归庆祝活动的传媒机构名单，以及与拣选传媒机构的准则有关的内部指引、政策及通讯文件。新闻处援引《守则》第2.3(b)段（资料如披露会令本港的保安受到伤害或损害）拒绝。

新闻处解释，习近平主席于2022年出席香港回归25周年的主要庆祝活动。披露受邀的传媒机构名单将伤害或损害习主席访港期间的保安工作，亦会协助他人日后规避保安查核机制。由于新闻处已为未受邀到活动现场的传媒机构提供另一采访选项，而披露有关名单可导致极其严重的伤害，该处并不认为披露资料所涉的公众利益超越可能造成的伤害或损害。

本署接纳新闻处的解释。不过，该处在回应其中一部分的索取资料要求时，应清楚告知投诉人该处并无拥有相关的指引、政策及通讯文件。

Refusing to provide a list of media organisations invited to cover the July 1 Reunification Anniversary celebrations/festivities

The complainant requested the Information Services Department ("ISD") to provide a list of media organisations invited by the Department to cover the July 1 Reunification Anniversary celebrations/festivities, and the internal guidelines, policies and/or communications pertaining to the criteria of selecting such media organisations. ISD refused the request pursuant to paragraph 2.3(b) of the Code (information the disclosure of which would harm or prejudice Hong Kong's security).

ISD explained that President Xi Jinping had attended the key 25th anniversary events in 2022. Disclosure of the list of invited media organisations would harm or prejudice the protection of President Xi during his visit in Hong Kong and would assist the evasion of the security clearance mechanism in the future. Since ISD had provided a good alternative to those media organisations not invited to the event venues to cover the events, and the harm which might arise from the disclosure would be extremely serious, the Department did not consider that the public interest in disclosure outweighed the harm or prejudice.

While we accepted ISD's explanation, the Department should have addressed part of the information request more properly by informing the complainant clearly that it did not possess the guidelines, policies or communications under request.

建议

- 为职员提供更多有关《守则》的培训，让他们在部门并无拥有被索取的资料时，能更妥善地回应索取资料要求

Recommendation

- Provide its officers with more training on the Code so that the latter could better address information requests when the Department does not possess the requested information

规划署
Planning Department



拒绝提供某策略性研究的评估报告

投诉人向规划署索取「香港2030+可持续发展评估」及「香港2030+策略性环境评估可行性研究」的报告副本，但该署以报告只属辅助性质的工作文件及未能完整反映《香港2030+：跨越2030年的规划远景与策略》（「《香港2030+》」）的最终建议为由拒绝提供。

本署调查发现，虽然《香港2030+》最终建议已收纳《北部都会区发展策略》（「《发展策略》」）的新增建议，但事涉报告是按《香港2030+》研究当时的建议编写并于2021年第一季左右完成，而《发展策略》乃于该年后期考虑了最新情况而制定，因此事涉报告未有涵盖《发展策略》的新增建议。本署接纳规划署所指，事涉报告属《守则》第2.13(a)段所述的「不完整或未完成的分析、研究或统计有关的资料」，而披露报告可能会令人对其涵盖范围及功能产生误解，即使附上注释亦未必可以避免误解。披露事涉报告的公众利益亦未能超过可能造成的伤害或损害。

结论 Conclusion	不成立 Unsubstantiated

Refusing to provide assessment reports for a strategic study

The complainant requested the Planning Department (“PlanD”) to provide a copy of the Sustainability Assessment for Hong Kong 2030+ and Strategic Environmental Assessment for Hong Kong 2030+: Feasibility Study (“the Reports”). PlanD refused the request on the ground that the Reports only serve as supporting working documents and do not completely reflect the final recommendations of Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030 (“Hong Kong 2030+”).

Our investigation revealed that while the final recommendations of Hong Kong 2030+ mentioned the new proposals under the Northern Metropolis Development Strategy (“NMDS”), the Reports did not cover such proposals as the assessments were based on the recommendations formulated at the time of assessment and had been completed in the first quarter of 2021 before the new proposals under NMDS were formulated later in the year taking into account the latest circumstances. We accepted PlanD’s explanation that disclosure of the Reports, which may be regarded as information relating to incomplete analysis, research or statistics under paragraph 2.13(a) of the Code, may lead to unavoidable misunderstanding as to their coverage and function even if explanatory notes are added. Furthermore, the public interest in disclosure of the Reports would not outweigh the harm or prejudice that might result.

保安局
Security Bureau



拒绝提供社区隔离设施的入住数据

投诉人要求保安局提供所有社区隔离设施自启用以来的每日入住数据。然而，保安局只提供了有关设施截至某日的总入住人数，并援引《守则》第2.9(d)段（不合理地使用部门的资源）拒绝投诉人原来的要求。

本署调查发现，保安局最关注的是每个社区隔离设施有否足够房间提供给入住人士，而非入住人士的数目。保安局的电脑系统会记录入住人士的资料，但初期录得的资料可能未必准确，原因包括入住者以纸本方式填报入住资料时有延误或出错，以及职员将资料输入系统时出错。如要提供投诉人原本要求的资料，保安局需联络每位入住人士以核实其入住日期，这将不合理地使用局方的资源。因此，保安局修订了投诉人的要求并按此提供资料。

本署认为，虽然保安局有理由拒绝投诉人的索取资料要求，但局方在拒绝要求前，未有按《守则》的「诠释和应用指引」所订，与投诉人磋商索取资料的范围及详情，探讨可否把要求修改至双方都可接受的程度。

结论 Conclusion	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found

Refusing to provide occupancy statistics of community isolation facilities

The complainant requested the Security Bureau ("SB") to provide the daily occupancy statistics of all the community isolation facilities ("CIFs") since they were in use. However, SB only provided the aggregated number of persons admitted as of a particular day and refused to accede to the complainant's original request by citing paragraph 2.9(d) of the Code (unreasonable diversion of resources) as the reason.

Our investigation revealed that SB was most concerned about the availability of rooms in each CIF for accommodating the admitted persons, rather than the number of persons admitted therein. SB had put in place a management system to record the information of admitted persons, but the admission data captured might be inaccurate at the early stage due to errors or delays in the self-reporting of admission in paper forms by admitted persons and potential errors in the transcription of such information. In order to fulfill the complainant's request, SB would have to check with individual admitted persons to verify their admission dates, which would unreasonably divert its resources. Hence, SB modified the request and provided information accordingly.

We reckoned that although SB had grounds to refuse the information request, it had failed to comply with the Guidelines on Interpretation and Application of the Code to initiate prior negotiation with the complainant to identify a mutually acceptable alternative in terms of the scope and details of the information to be provided before refusal.

保安局、入境事务处、香港海关、惩教署、香港消防处、香港警务处及政府飞行服务队
Security Bureau, Immigration Department, Customs and Excise Department, Correctional Services Department, Fire Services Department, Hong Kong Police Force and Government Flying Service



结论 Conclusion 不成立 Unsubstantiated

未能提供纪律部队人员接受利益的统计数字

投诉人向入境事务处、香港海关、惩教署、香港消防处、香港警务处及政府飞行服务队索取部门职员于某段期间接受利益的统计数字，但上述部门援引《守则》第1.14段（不强制部门编制从来没有存在的记录）及第2.9(d)段（资料要透过不合理地使用部门的资源才能提供）拒绝。投诉人指部门未有与他磋商是否可以把要求修改至双方均可接受的程度，亦未有考虑当中涉及公众利益，而保安局在覆检时没有考虑上述事宜。

保安局及有关部门表示，不论有关统计资料所涉时段的长短，各部门须翻查辖下各组别或单位的相关档案，才可编制有关资料，这将耗用大量资源，而各部门正忙于参与抗疫工作。本署接纳保安局及部门的解释。不过，本署认为，只有透过编制和检视有关统计资料，公务员事务局、各局及部门才可监察员工接受利益的情况，亦能更充分及快捷地回应市民索取资料的要求。

Failing to provide statistics on disciplined services staff's acceptance of advantages

The complainant requested the Immigration Department, Customs and Excise Department, Correctional Services Department, Fire Services Department, Hong Kong Police Force and Government Flying Service to provide statistics on acceptance of advantages by the departments' staff during a particular period of time. The departments concerned refused the request by citing paragraphs 1.14 (not obliging departments to create a record which does not exist) and 2.9(d) (information which could only be made available by unreasonable diversion of a department's resources) of the Code. The complainant alleged that the departments had not discussed with him the possibility of modifying his request to a mutually acceptable level or considered the public interest involved. The Security Bureau ("SB") had not considered the above issues when reviewing his request.

SB and the departments concerned explained that each department would need to examine the relevant files of each section or unit in order to compile the requested statistics, regardless of the length of time period covered. That would require considerable resources when the departments were participating in anti-epidemic work. We accepted SB and the departments' explanation. However, we considered that only through compilation and examination of statistics can the Civil Service Bureau ("CSB") and bureaux/departments monitor staff's acceptance of advantages and be able to reply to requests for information by the public more comprehensively and promptly.

建议

- 公务员事务局考虑要求各司局及部门善用资讯存取科技备存记录，以便在有需要时可便捷地编制关于辖下员工接受利益的统计资料

Recommendation

- CSB to consider requiring Offices of Secretaries, bureaux and departments to utilise data access technology to maintain records for handy compilation of statistics on staff's acceptable of advantages when necessary

改善公共行政
Improving Public Administration

我们透过不偏不倚的调查找出引发投诉的原因，处理及解决因公营机构行政失当而引起的不满和问题，以及促进良好公平的公共行政。

Through impartial investigations, we aim to find out what have triggered complaints, redress grievances and address issues arising from maladministration in the public sector and bring about better public administrative practices.

我们提出的建议主要分为以下类别：

(1) 制定更清晰指引，使运作更为一致和有效率
(2) 改进跨部门的协调安排
(3) 改善处理市民查询／投诉的措施
(4) 改善客户服务的措施
(5) 加强规管及管制的措施
(6) 订立更清晰合理的规则及收费
(7) 为市民提供更适时和更清晰的资料
(8) 员工培训
(9) 其他

Our recommendations are mainly categorised as follows:

(1) guidelines for clarity, consistency or efficiency in operation
(2) better arrangements for inter-departmental co-ordination
(3) measures for better public enquiry/complaint handling
(4) measures for better client services
(5) measures for more effective regulation or control
(6) clearer/more reasonable rules and charges
(7) clearer and more timely information to the public
(8) training for staff
(9) others

为确保我们的建议能实际及有效改善公共行政，我们进行调查期间，经常会与所涉机构的高层人员讨论我们的观察所得及意见。这种意见交流有助澄清疑问及了解问题所在。

To ensure practicability and effectiveness of our recommendations in bringing about better public administration, we often discuss our observations and views with senior officers of the organisations concerned in the course of investigation. Such exchanges conduce to clarifying doubts and a better understanding of the problems.

我们期望所涉机构会按我们的建议作出改善，并在落实建议遇到困难时告知我们。我们会要求所涉机构定期提交报告，以监察进度，直至建议全部落实为止。

We expect the organisations concerned to take forward our recommendations and update us on any difficulties with their implementation. We will monitor the progress by requesting periodical updates from the organisations concerned until our recommendations are fully implemented.

如发现他们未有尽力落实建议，申诉专员可根据《申诉专员条例》，向香港特别行政区行政长官呈交报告。此外，专员如认为曾有严重的不当或不公平事件发生，可向行政长官提交另一份报告，并在其后一个月，或行政长官厘定的更长时间内，将报告的文本提交立法会省览。

Where an organisation fails to take forward a recommendation, The Ombudsman may submit a report to the Chief Executive of the Hong Kong Special Administrative Region pursuant to The Ombudsman Ordinance. In addition, if The Ombudsman deems that a serious irregularity or injustice has taken place, she may make a further report to the Chief Executive. Within one month or such longer period as the Chief Executive may determine, a copy of the report has to be laid before the Legislative Council.

我们在年度内已完成的调查及提出的建议的数目如下：

The figures of our concluded investigations and recommendations made for this financial year are set out below:



完成了的全面调查：
Full investigations concluded: **141**

提出的建议：
Recommendations made: **125**

完成了的主动调查：
Direct investigations concluded: **9**

提出的建议：
Recommendations made: **86**

一如以往，我们提出的建议大多获所涉机构接纳。小部分建议并未获接纳或落实是因为机构后来可能找到其他解决方法，或不会再进行引发投诉的行动，例如机构已停止有关工作，故此不需要采取我们建议的措施。

As always, most of our recommendations were accepted. A small percentage of them were not accepted/implemented because the organisations concerned might have subsequently come up with other alternatives or our recommended measures were no longer needed as the action having caused a complaint would not be repeated due to, for instance, cease of relevant work of the organisation.

在本年度，所涉机构落实了的改善建议的重要实例开列如下。

Major examples of the improvement measures implemented in this financial year are listed below.

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
渔农自然护理署 Agriculture, Fisheries and Conservation Department (DI/445)	修订工作指引，须向怀疑违规的狗只畜养人发出劝谕信或警告信，并将该些个案记录在部门的电脑系统内 Guidelines revised requiring the issuance of advisory or warning letters to dog keepers suspected to have violated regulations, and recording such cases in the Department's computer system	(1) & (5)
屋宇署 Buildings Department (2021/4354)	• 改善电子举报表格，以要求举报人提供更准确和详细的资料 Electronic report form revised to require reporters to give clearer and more accurate information	(3)
	• 定期与顾问公司进行会议，并更频密地与表现欠佳的顾问公司举行工作进度会议 To conduct regular meetings with consultants and more frequent progress meetings with the under-performing consultants	(5)
	• 提升资讯系统以接收顾问公司的电子视察报告及更有效监察其表现 To upgrade its information technology system for receiving electronic inspection reports from consultants and more effective monitoring of their performance	(5)
	• 利用航拍机协助调查个案 To use drones to assist in investigations	(5)
屋宇署及地政总署 Buildings Department & Lands Department ("LandsD") (2022/0975)	• 提醒职员日后在处理新界豁免管制屋宇怀疑有僭建物的投诉时，加强两署的沟通及协调；在有需要时主动厘清对方会否采取执法行动，以及综合回复投诉人 Reminded staff to strengthen communication and coordination between the two departments when handling reports of unauthorised building works regarding New Territories Exempted Houses, and if necessary, seek clarification with the other department proactively to ascertain whether it would take enforcement action and provide a consolidated reply to complainants	(3)
	• 地政总署提醒职员日后在回复投诉时，清楚解释其跟进行动／不拟采取行动的原因 LandsD reminded staff to explain clearly to complainants its follow-up action/reasons for not taking action	(3)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
卫生署 Department of Health ("DH") (2020/1710)	• 与医院管理局（「医管局」）商讨，请医管局容许卫生署遗传辅导诊所的病人使用医管局「预约通」应用程式进行首次预约 Liaise with the Hospital Authority ("HA") to arrange patients of DH's Genetic Counselling Clinics to make the first appointment by using HA's mobile app "BookHA"	(4)
	• 向前线职员提供培训，确保其充分了解最新的预约安排 Training provided to frontline staff to keep them abreast of the latest appointment booking arrangements	(8)
效率促进办公室及运输署 Efficiency Office & Transport Department ("TD") (2022/0871)	修订系统发送的自动回复，日后若1823因疫情而暂停处理市民发给运输署邮箱的电邮时，说明运输署的其他查询途径 Revised the auto-response system and, if 1823 suspends handling emails from public to TD due to pandemic in the future, explain TD's alternative enquiry channels	(2) & (3)
机电工程署 Electrical and Mechanical Services Department (2022/2481)	• 提醒职员须严格遵从指引处理电力安全举报 Reminded staff to comply with its guidelines stringently when handling reports of electrical hazards	(3)
	• 检视指引并加入发出「检查电力装置通知书」后的跟进程序 Guidelines reviewed with follow-up actions to be taken after issuance of Notice to Inspect Electrical Installation added	(5)
机电工程署 Electrical and Mechanical Services Department (DI/438)	开发数码化工作日志以收集和分析关于升降机及自动梯工程和保养工作的数据，以助该署监察和规管注册承办商和工程人员的表现，也让拥有人和物业管理公司可透过系统随时监察所管理的升降机和自动梯的状况 A digital log book developed for collecting and analysing the data concerning the installation and maintenance of lifts and escalators, strengthening the Department's monitoring and regulatory work on the performance of registered contractors, engineers and workers, and assisting owners and property management companies to keep track of the condition of their lifts and escalators	(5)
雇员再培训局 Employees Retraining Board (2022/1957)	检讨及修订「课程申请表」及「申请须知」，以清晰地显示「最高学历」的定义和说明 The Course Application Form and Application Guidelines reviewed and revised to indicate clearly the definition and meaning of the term "highest educational attainment"	(7)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
环境保护署 Environmental Protection Department (2022/2068B)	提醒职员日后处理1823转介的投诉时，如预计无法及早完成调查及给予具体回复，须适时直接／透过1823暂复投诉人，交代个案进展和解释需要更多时间具体回复的原因 Reminded staff that, when handling complaints referred by 1823, if they anticipate that their investigations will take a longer time to complete and substantive replies could not be issued soon, staff should issue timely interim replies, directly or via 1823, to complainants and keep them informed of the progress of its investigation and the reasons why more time is required for giving a substantive reply	(3)
环境保护署 Environmental Protection Department (DI/410)	完成研究全球卫星定位技术在泥头车的应用，并在部分工务工程项目使用有关技术 Studies on the application of GPS technology on construction waste collection vehicles completed, and used the technology in some public works projects	(5)
环境保护署 Environmental Protection Department (DI/440)	加强与屋宇署就驳错渠个案的协作 Enhanced cooperation with the Buildings Department regarding sewer misconnection cases	(2)
环境保护署 Environmental Protection Department (DI/444)	• 鼓励其他管理回收桶的部门收集及备存更多回收数据 Encouraged other departments responsible for recycling bins management to collect and maintain more recycling data	(2)
	• 全面检视公共空间回收桶的政策，并因应市区路边回收桶的角色逐渐减少，逐步移除该些回收桶，以提升整体的回收效率 Comprehensively reviewed the policy of recycling bins in public places and gradually removed the roadside recycling bins in urban areas having regard to their declining role, so as to enhance the overall recycling efficiency	(5)
	• 设计新的公共空间回收桶标示 Designed new labels for recycling bins in public places	(7)
	• 于部门的网站定期发布公共空间回收桶的运作数据 Released regularly the operation data on the recycling bins in public places on the Department's website	(7)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
食物环境卫生署 Food and Environmental Hygiene Department (2020/3780)	• 检讨对有关固定小贩摊档的执法尺度，订定实施时间表并通知摊档负责人，以遏止违规越界经营造成的阻碍及确保道路使用者的安全 Reviewed the criteria for taking enforcement actions against fixed hawker pitches, drew up an implementation schedule of the reviewed criteria and informed the pitch operators of its implementation in order to curb the obstruction caused by the illegal extension of pitch boundaries and ensure the safety of road users	(1)
	• 与其他政策局／部门及持份者商讨，制定有效管理发泡胶箱摆放问题的方案 Explored and formulated effective measures with other policy bureaux/departments and stakeholders for effective management of the placement of polyfoam boxes	(2)
	• 探讨与其他政府部门（例如当区民政事务处、香港警务处、当区地政处等）商讨，制定有效的管理方案 Explored effective control measures with relevant departments (e.g. local District Offices of the Home Affairs Department, the Hong Kong Police Force and the District Lands Office concerned)	(2)
	• 加强对店铺非法扩展营业范围及摆放物品妨碍街道清扫的执法力度 Strengthened the enforcement actions against illegal shop front extensions and placement of articles which obstructs street cleansing	(5)
	• 检讨现时的执法策略，并采取有效措施遏止违规行为 Reviewed the existing enforcement policy and to take effective measures to curb unlawful acts	(5)
食物环境卫生署 Food and Environmental Hygiene Department (2021/1498)	检视辖下不同组别是否需要提供宣誓或声明服务 Reviewed the need to provide oath-taking or declaration services by its different units	(4)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
食物环境卫生署 Food and Environmental Hygiene Department (DI/403)	• 检讨现行的续租制度，并在部分公众街市实施新的续租制度 The current tenancy renewal system reviewed and a new system in some public markets implemented	(1)
	• 检讨以低于市场租金作底价的竞投模式 The auction practice of setting upset prices below open market rental level reviewed	(5)
	• 在部分公众街市实施「一人一档」的租赁安排 A "one-person-one-stall" tenancy measure in some public markets implemented	(7)
食物环境卫生署 Food and Environmental Hygiene Department (DI/431)	• 修订工作守则，为署方直接管理的公厕订立服务表现指标 Operation Manual updated to provide performance indicators for the public toilets directly managed by the Department	(1)
	• 优化投诉管理资讯系统，以便利对与公厕相关的投诉的数据分析 Complaint Management Information System enhanced to facilitate data analysis for complaints about public toilets	(3)
	• 优化合约管理系统，以供全面分析公厕外判服务承办商的服务质素 The contract management system for public toilet service contractors enhanced to facilitate comprehensive analysis of their service quality	(5)
食物环境卫生署 Food and Environmental Hygiene Department (DI/441)	• 检视及修订用作管理防治虫鼠队的工作守则，以提升监察效能 Operational manuals on managing the performance of Pest Control Teams reviewed and revised to enhance the effectiveness of supervision	(1)
	• 更新指引，确保录得警戒级别蚊患指数的监察地区妥善备存防治工作记录 Guidelines updated to ensure proper keeping of records of control actions taken in survey areas with mosquito surveillance index at alert levels	(1)
	• 为监察蚊患的密度指数制订不同级别和分级说明 Density Index for mosquito surveillance categorised into different levels and a descriptor provided for each level	(7)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
公务员事务局 Government Secretariat – Civil Service Bureau (2021/4326(I))	要求所有政策局及部门善用科技汇集及备存辖下员工接受利益申请个案的记录，以便在有需要时可便捷地编制统计资料 To require all bureaux and departments to utilise technology to collate and maintain records on staff's applications for acceptance of advantages for speedy compilation of statistics when necessary	(3) & (5)
政制及内地事务局 Government Secretariat – Constitutional and Mainland Affairs Bureau (DI/443)	呼吁政策局、部门及其管辖的相关机构考虑以遥距形式提供传译服务 Encouraged Government bureaux, departments and related organisations under their purviews to consider providing distance interpretation services	(4)
教育局 Government Secretariat – Education Bureau ("EDB") (2021/4263)	• 就涉及为何本地学校和提供非本地课程的私立学校恢复全日面授课堂及课外活动的要求有所不同的查询，教育局已增补回复内容，让公众可更全面理解要求不同的理据 Contents of EDB's response to public enquiries about the different requirements for local schools and private schools offering non-local curriculum to resume full-day face-to-face classes and extra-curricular activities enriched so that the rationale of the differences could be more comprehensively understood	(7)
	• 因应学生需要、持份者意见及疫情变化，定期检讨恢复全日面授课堂及课外活动的准则 Criteria for resumption of full-day face-to-face classes and extra-curricular activities periodically reviewed after taking into account students' needs, stakeholders' views and the changing situation of the pandemic	(9)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
环境局及环境保护署 Government Secretariat – Environment Bureau & Environmental Protection Department (DI/415)	• 统筹并协助其他政府部门（包括运输署、政府产业署、康乐及文化事务署和旅游事务署）在辖下停车场加装超过1,000个电动车中速充电器 Coordinated and assisted other Government departments (including the Transport Department, the Government Property Agency, the Leisure and Cultural Services Department and the Tourism Commission) to install in their parking lots more than 1,000 additional medium chargers for electric vehicles	(4)
	• 推出流动应用程式，发放公共充电器的实时资讯，以便利驾驶电动车的人士寻找可用的公共充电器 A mobile application launched to disseminate real-time information about public electrical chargers to facilitate electric vehicle drivers to locate the chargers that are available	(7)
食物及卫生局和卫生署 Government Secretariat – Food and Health Bureau & Department of Health (DI/433)	加强向公众推广低收费病床，包括在公立医院张贴海报和告示 Strengthened the promotion of low-charge beds to members of the public, such as by putting up posters or notices in public hospitals	(7)
医务卫生局 Government Secretariat – Health Bureau (2022/1535)	• 要求物流公司制定向各服务单位分发快速抗原检测包的固定日程表 Required logistics companies to devise regular schedules for distribution of Rapid Antigen Test (“RAT”) kits to service units	(2)
	• 与参与部门／机构检讨现行发放有关派发检测包资讯的方式 Reviewed the current methods of disseminating information on the distribution of RAT kits with participating departments/organisations	(7)
民政事务局 Government Secretariat – Home Affairs Bureau (2020/3518)	检讨及修订《社区发展政策声明》以反映召开非政府机构社区发展论坛的实际安排 The Policy Statement on Community Development reviewed and revised to reflect the actual arrangements for convening the NGO Forum on Community Development	(1)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
房屋局 Government Secretariat – Housing Bureau (2022/2400)	• 继续与居民保持良好沟通，并会在过渡性房屋项目的发展和居民对该项目在设计方面的关注两者之间作出平衡 To maintain good communication with residents and strike a balance between their concerns about the design of the transitional housing project and the project's development	(3)
	• 检视有关公布过渡性房屋项目资讯的发放安排，以及确保资讯准确、清晰及适切 To review the arrangements for publicising the information of transitional housing projects and ensure the information is accurate, clear and appropriate	(7)
民政事务总署及地政总署 Home Affairs Department & Lands Department (DI/417)	竖立界线标示柱；将界线资料上载至指定手机应用程式；修订殓葬许可证的申请程序和条款，以确保村民在下葬先人前清楚知悉「认可殡葬区」的范围及违规的后果 Boundary markers installed, boundary information uploaded to designated mobile applications and the application procedures and conditions of Burial Certificates revised to ensure that villagers are fully aware of the boundaries of permitted burial grounds and the consequences of non-compliance before burying the deceased	(5)
房屋署 Housing Department (DI/413)	实地巡视各公共屋邨，记录并整合邨内现有「空格位」及储物室的资料，以便研究将它们改建作公屋单位或其他用途的可行性 Public housing estates inspected to collect and consolidate information about empty bays and storerooms in the estates for studying the feasibility of converting them into public housing units or for other uses	(9)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
房屋署 Housing Department (DI/439)	• 为屋邨管理人员及工程人员跟进公共屋邨游乐及健体设施损坏个案的工作设定时限 Setting time frames for estate management staff and building works staff to follow up on cases of damaged play and fitness equipment in public rental housing ("PRH") estates	(1)
	• 为已拆售物业屋邨内游乐及健体设施的维修决定咨询业主的程序设定时限 Setting time frames for consulting the owners of divested flats in PRH estates regarding the decisions of repairing play and fitness equipment in the estates	(1)
	• 修订工作指引，要求屋邨前线人员更主动监察游乐及健体设施维修工程的进度 Guidelines revised to require frontline staff of PRH estates to monitor the repair progress of play and fitness equipment more proactively	(1)
	• 成立专责监察小组并加入定期汇报制度，以加强监察公共屋邨游乐及健体设施的整体维修过程 A monitoring task force established and a regular reporting mechanism set up to strengthen the monitoring work of the whole repair process for the play and fitness equipment in PRH estates	(5)
	• 为屋邨前线人员提供关于检视游乐场设施，以及记录和报告设施损耗情况的线上培训课程、讲座及工作坊 Online training courses, seminars and workshops provided to the frontline staff of PRH estates regarding the inspection of playground facilities and the recording and reporting of their defects	(8)
	• 就公营房屋发展项目举办社区参与工作坊，以搜集市民对公众休憩用地及游乐／健体设施的意见 Community engagement workshops for public housing development projects conducted to collect the public's views on public open space and play and fitness equipment	(9)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
劳工处 Labour Department (DI/447)	• 加强对经营外佣宿舍的职业介绍所的循规教育 Compliance education stepped up for employment agencies operating boarding facilities for foreign domestic helpers	(5)
	• 就标准雇佣合约中的「留宿规定」，加强对职业介绍所及雇主的宣传教育 Publicity and education stepped up for employment agencies and employers regarding the "live-in requirement" in Standard Employment Contract	(5)
地政总署 Lands Department (2020/3362) (2020/3363) (2020/3488)	• 在跨部门会议中汇报涉及不同部门职权范围的个案的工作进度 To report the progress of cases involving different departments at inter-departmental meetings	(2)
	• 修订工作指引，将涉及具保育价值地区的占用政府土地个案归类为优先处理个案 Work guidelines revised so that cases of occupation of Government land which involve areas of conservation value are accorded priority	(5)
地政总署 Lands Department (2021/3870B(I))	发通告阐明及提醒职员《公开资料守则》的规定 A circular issued to explain and remind staff about the requirements of the Code on Access to Information	(8)
地政总署及消防处 Lands Department & Fire Services Department ("FSD") (DI/342)	在消防安全小册子附上消防处网站的二维码，以便利新界豁免管制屋宇居民获取消防安全知识 The QR code of FSD's website inserted to fire safety pamphlets to facilitate access to fire safety knowledge by residents of New Territories Exempted Houses	(7)
海事处 Marine Department (DI/418)	完成检讨抽查私人系泊设备的工作，并落实执行相关的巡查目标 Reviewed the work regarding random inspection of private moorings, and implemented the relevant inspection targets	(5)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
规划署 Planning Department (2020/3488)	• 在跨部门会议中汇报涉及不同部门职权范围的个案的工作进度 To report the progress of cases involving different departments at inter-departmental meetings	(2)
	• 提醒职员注意《公开资料守则》及相关内部指引，以及举行相关讲座 Staff reminded to pay attention to the Code on Access to Information and the relevant internal guidelines, and seminars will be organised for its staff	(8)
邮政署 Post Office ("PO") (2022/1696)	• 在邮件的地址标签、取件通知书及相关记录表上清楚列明「畅运服务」邮件的退件原因，以供寄件人参考 To state clearly the reason(s) for returning a Vantage mail item on the address label, the mail collection notification and the relevant record form for the sender's reference	(4)
	• 建立内部机制以持续审查和定期更新「畅运服务」违禁物品数据库 An internal mechanism set up for continuous review and regular update of the database of Vantage prohibited items	(5)
	• 与「畅运服务」的商业合作伙伴联络，以便后者定期更新其数据检查 Liaised with its Vantage commercial partners for the latter's regular updating of its data checking	(5)
	• 探索加快「畅运服务」邮件退回处理的程序 Measures for expediting the process for return of Vantage mail items explored	(5)
	• 透过邮政署的宣传品提高公众对不同类型邮政服务各自的违禁物品的认知 To enhance the public's awareness of the respective prohibitions regarding different types of postal services through PO's promotion materials	(7)
	• 在相关表格中加入有关「畅运服务」申诉机制的资料 Information about the Vantage appeal mechanism will be included in the relevant form	(7)

机构（个案编号） Organisation (Case reference)	改善措施 Improvement measures	类别 Category
运输署及地政总署 Transport Department & Lands Department (2021/4203C&D)	召开跨部门的高层次会议，并就处理露天公共运输交汇处内违泊单车的安排达成共识 High-level inter-departmental meetings convened and consensus reached on the arrangements for handling illegally parked bicycles at uncovered Public Transport Interchanges	(2)
运输署 Transport Department (DI/450)	推行一系列宣传及教育活动，提醒驾驶人士（特别是商用车辆司机）关注个人健康及驾驶能力的改变 A series of publicity and educational activities organised to remind drivers (particularly commercial drivers) to be aware about their personal health and changes in capability to drive	(9)

传递本署的资讯
Spreading Our Message

公署的宣传推广随着疫情在2022年年中渐趋平稳而逐步增加实体的项目，包括学校讲座及研讨会，配合同时推出全新的宣传片及公署网页，让市民大众进一步认识我们的工作。除此之外，随着全球疫情放缓，国际申诉专员机构在网上举行研讨会之外，亦举办实体模式的会议，我们亦有派员出席，与各地申诉专员保持联系及交流。

As the epidemic situation began to stabilise in mid-2022, more and more of our promotional activities took the form of in-person events, such as school talks and seminars. Meanwhile, we have rolled out new promotional videos and a revamped website to further enhance public understanding of our work. On the global level, as the pandemic subsided, international ombudsman institutions organised not only webinars but also face-to-face meetings. Our officers had attended these meetings to keep in touch, exchange views and share experience with overseas counterparts.

与传媒的联系及新闻公报

Media Events and Press Releases

在本年度，我们举办了三次新闻发布会及发出三份新闻公报，以公布九项主动调查的结果。此外，我们亦宣布展开十项主动调查，并邀请各界持份者及市民大众提供意见。

During the reporting year, we organised three press conferences and issued three press releases to announce the results of nine direct investigations. We also declared the launch of ten direct investigations to invite stakeholders and members of the public to give their views on the topics involved.





全新宣传片及公署网页

New Promotional Videos and Revamped Website

我们推出了一系列全新的宣传影片，扼要地介绍公署的角色与职能，以及处理投诉方法等，从而加深市民对申诉专员的角色、权责和工作的了解。市民可于本署网页及YouTube频道观看影片。

此外，我们亦推出全新公署网页，以简洁俐落的介面，配合丰富的图像及多媒体内容，让市民大众容易获得公署的资讯及所发放的消息。

A brand-new series of promotional videos introducing the role and functions as well as the complaint-handling methods of our Office had been launched to deepen public understanding of our role, powers and work. The videos are available on our website and YouTube channel.

In addition, we had revamped our website to offer quick access to information about and news disseminated by our Office. The new website boasts a neat and user-friendly interface, vivid images and multi-media contents.



专访

Exclusive Interview

申诉专员在2023年年初接受《香港律师会会刊》访问，分享公署的角色和工作，以及对作为公共行政监察机构的展望。

另外，申诉专员亦接受教育局的邀请，出席一个研讨会，与新任校长分享行政管理的要点及领导者的质素。

In an exclusive interview by the *Hong Kong Lawyer* in early 2023, The Ombudsman shared the role and work of our Office, and her visions on the future of the Office as a watchdog of public administration.

The Ombudsman also attended a seminar at the invitation of the Education Bureau to share with newly-appointed school principals the essentials of administrative management and qualities of leaders.





与本地工作伙伴合作及公众教育

Engagement with Local Working Partners and Public Education

我们继续与本地持份者合作，透过互动交流，让他们对本署职能和服务有更深入的认识，以及提倡正面的投诉文化。

We continued to engage local stakeholders through interactive exchange sessions to enhance their knowledge of the functions and services of our Office and promote a positive complaint culture.

交流会

Sharing Sessions

在年度内，我们为不同政府部门及机构举办了七次交流会，讲解本署的使命和工作，并分享我们处理投诉的经验。

In the reporting year, we delivered seven talks to various government departments and organisations on the mission and work of our Office, and shared our experience in complaint handling.





学校讲座

School Seminars

为了增加年青人对本署的认识，我们积极向本港学校讲解本署的使命和工作，共举办了八场学校讲座，逾2,000名学生出席。

In order to help the young population to have a better understanding about our Office, we organised school talks to promote the Office's mission and work. In total, more than 2,000 students had attended the eight school talks we held.





年度研讨会

我们与环保署合作举办疫情后的首个年度研讨会，以「智慧执法 保护环境」为主题，邀请本署的专家顾问及太平绅士出席。在2023年3月10日的研讨会上，主讲嘉宾分享如何使用智慧科技处理投诉及协助执法，以及利用污水检测辅助抗疫，同时解答参加者的提问及接受他们的意见作参考。

Annual Seminar

We invited the Environmental Protection Department to jointly host our first annual seminar after the epidemic. The Seminar, entitled "Environmental Protection – Law Enforcement with Smart Technology", was held on 10 March 2023 and was attended by our expert advisers and Justices of the Peace. The speakers from the Department shared their experience in using smart technology to resolve complaints and in law enforcement, and deploying sewage surveillance techniques to help combat the epidemic. Besides, they answered participants' questions and listened to their opinions.









申诉专员嘉许奖

本年度的申诉专员嘉许奖颁奖典礼于2022年11月16日举行。

本年度的大奖得主是环境保护署，另外两个获奖部门为渔农自然护理署和卫生署。康乐及文化事务署则获颁调解奖。此外，61名公职人员获颁奖项，以表扬他们在服务市民方面的卓越表现。

The Ombudsman's Awards

The Presentation Ceremony of The Ombudsman's Awards this year was held on 16 November 2022.

This year's Grand Award went to the Environmental Protection Department, whereas the Agriculture, Fisheries and Conservation Department and the Department of Health were the runners-up. The Leisure and Cultural Services Department received the Award on Mediation. In addition, 61 public officers were given the individual awards to recognise their exemplary performance in public service.









有关获奖机构及公职人员名单，可扫描二维码阅览。

For the full list of awardees, please scan the QR code.

与澳门及海外机构的联系

2022年10月12至14日，申诉专员参加了国际申诉专员协会澳大利西亚暨太平洋区分会在新西兰威灵顿举行的会员会议，以及新西兰申诉专员公署六十周年庆典。同月18至20日亦出席亚洲申诉专员协会于阿塞拜疆巴库举行的常务理事会会议，以及由阿塞拜疆人权事务委员会举办的国际会议。

此外，专员与同事参加了亚洲申诉专员协会于2022年12月28至29日举办的「整合电脑科技在公众申诉制度的角色」网上工作坊，以及国际申诉专员协会于2023年1月17日举办的「调解／另类排解纠纷的方法」网上研讨会。

2023年3月7日，公署接待由澳门廉政专员领导的代表团，在工作上彼此交流、互相借鉴及分享经验。

Liaison with Macao and Overseas Institutions

On 12 to 14 October 2022, the Ombudsman attended a members' meeting organised by the Australasia and Pacific Ombudsman Region of the International Ombudsman Institute ("IOI") in Wellington, New Zealand, as well as a ceremony to celebrate the 60th year of the New Zealand Office of The Ombudsman. Then on 18 to 20 October, the Ombudsman attended the annual meeting of the board of directors of the Asian Ombudsman Association ("AOA") and an international conference organised by the Office of the Commissioner for Human Rights (Ombudsman) of Azerbaijan, both held in Baku, Azerbaijan.

In addition, the Ombudsman and colleagues participated in the online workshop "The Role of Integrated Computer Technologies in Public Grievance Redressal System" hosted by the AOA on 28 and 29 December 2022, and a webinar on "Mediation/Alternative Dispute Resolution" organised by the IOI on 17 January 2023.

On 7 March 2023, the Office received a delegation led by the Commissioner Against Corruption of Macao. We exchanged views on the work of our offices and drew on each other's experience.









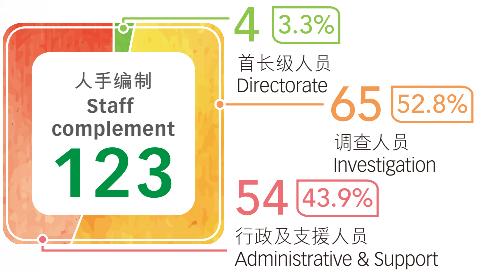
内部行政
Our Office

迎向更稳健未来

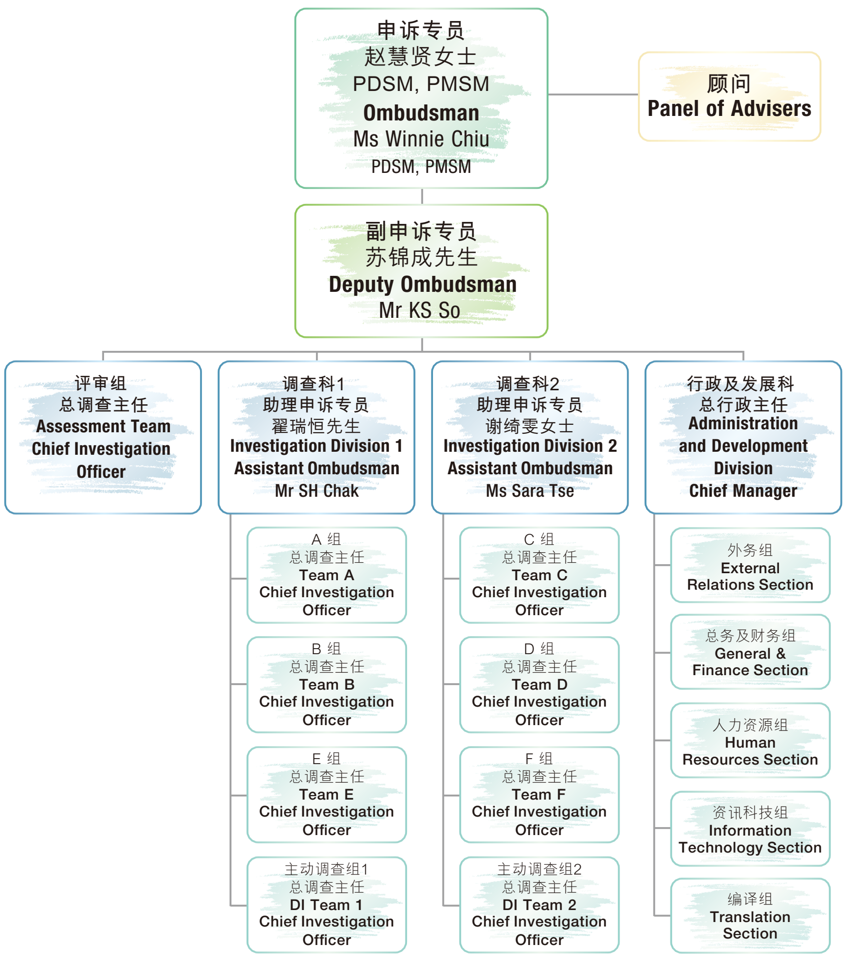
公署积极抗御2019冠状病毒病所带来前所未见的挑战，各项运作于本年度稳健有序地复常。幸得全体职员群策群力，我们安然渡过困难，同时贯彻自行培养人才的策略，建立一支干练的调查团队。年度内，本署经内部晋升及公开招聘，委任了六名调查人员（包括两名调查主任及四名助理调查主任）。截至2023年3月31日，本署编制总人数为123。

Embracing a Better Future

Our operation slowly but surely returned to normalcy this year as we rose up to the unprecedented challenge of the COVID-19 pandemic. Our workforce had weathered the storm and came through unscathed. We continued to progress steadily in nurturing a solid base of home-grown talent and developing a healthy contingent of investigation officers. During the year, we appointed six investigation staff (two at Investigation Officer level and four at Assistant level) through internal promotion and open recruitment. As at 31 March 2023, we have a staff complement of 123.



组织图
Organisation Chart



培训及发展

Training and Development

在这段严峻期间，公署仍致力巩固职员的专业能力及推广学习文化，为新招聘的调查人员举办入职简介课程，协助他们掌握有效执行职务的所需知识。公署举办了客户服务及投诉处理的互动研讨会，并安排多个工作坊，分享在处理投诉时有效应对困难情况的经验，以及阐析《公开资料守则》和相关个案。我们亦安排职员参与有关管理及职业训练的网上或面授课程，以增进知识及提升工作技能。

We continued to build our professional capacity and foster a learning culture in this extraordinary time by organising induction training for new investigators to equip them with the knowledge to discharge their duties effectively. We ran an interactive class on customer service in complaint handling, experience sharing workshops on tackling difficult situations in complaint handling and access to information cases. We also arranged staff to attend online or classroom management and vocational training to enhance their work knowledge and job skills.

申诉专员及副申诉专员出席公务员事务局举办的「国家主席重要讲话精神」座谈会。会后，申诉专员与本署主管人员分享国家主席讲话的精粹，以及对本署工作的意义。

The Ombudsman and Deputy Ombudsman joined a sharing session organised by the Civil Service Bureau on "Spirit of the President's Important Speech". The Ombudsman then held a sharing with senior staff members on the essence of the President's speech and the implications on our work.

廉政公署应邀为本署人员举办诚信管理培训讲座。

On our invitation, the Independent Commission Against Corruption conducted workshops for our staff on integrity management.





为确保本署人员与时并进，我们委派职员出席海外申诉专员机构举办的会议，认识不同国家和地区在处理投诉方面的最佳实务方法及当前趋势。

To keep staff abreast of the best practices and latest trends in complaint handling in different jurisdictions, we sent staff to attend conferences organised by overseas ombudsman institutes.

公署继续推行「雇员身心安康计划」，为职员提供所需的启导和辅导，帮助他们在个人及专业方面提升效能。我们配合「无惧转变尽展所长」的计划主题，举办了数个身心健康工作坊，旨在凝聚正能量，勉励员工积极投入生活。

We continued to subscribe for our staff to an Employee Wellness Programme, which offered coaching and counselling to our staff to help them achieve personal and professional effectiveness. To echo the theme of our programme titled "To Thrive in Times of Change", we organised staff wellness workshops, aiming to empower them with positive energy for positive living.





革新资讯及通讯科技基础设备

Revamp of Information and Communications Technology Infrastructure

公署于2021年制定资讯及通讯科技策略性计划，推动数码科技改革。随着计划的进展，伺服器室的翻新工程已于年度内完成，而资讯及通讯科技网络亦得以提升。此外，新安装的网络电话系统可支援职员在家工作，公署并已加强保安门禁系统。

This Office formulated the Information and Communications Technology ("ICT") Strategic Plan in 2021 to drive our digital transformation. Accordingly, the renovation of our server rooms was completed and the ICT network was upgraded in the year. In addition, a new IP Phone system which can support work-from-home arrangements was installed and the security access control system was enhanced.



职业健康及安全

Occupational Health and Safety

公署持续取得「办公室及公众场所室内空气质素检定计划」的「良好级」检定证书。

We continued to attain the "Good" Class certification in the Indoor Air Quality Certification Scheme for Offices and Public Places.

本年度的工作仍受2019冠状病毒病影响，因此公署采取多项特别措施，例如接种疫苗要求和在家工作安排，以及只接受已预约的市民到访面见，务求在维持服务水平与保障办公环境的安全健康之间取得平衡。受惠于资讯科技基础设备的提升，我们能够向市民提供无间断的服务。

The COVID-19 pandemic continued to impact on our work this year. Special measures, such as vaccination requirements, work-from-home arrangements and face-to-face meetings only by appointment, were in place to balance the need for business continuity and providing a safe and healthy working environment for our staff. With enhanced ICT infrastructure, we managed to maintain uninterrupted public access to our services.



市民对本署服务的意见

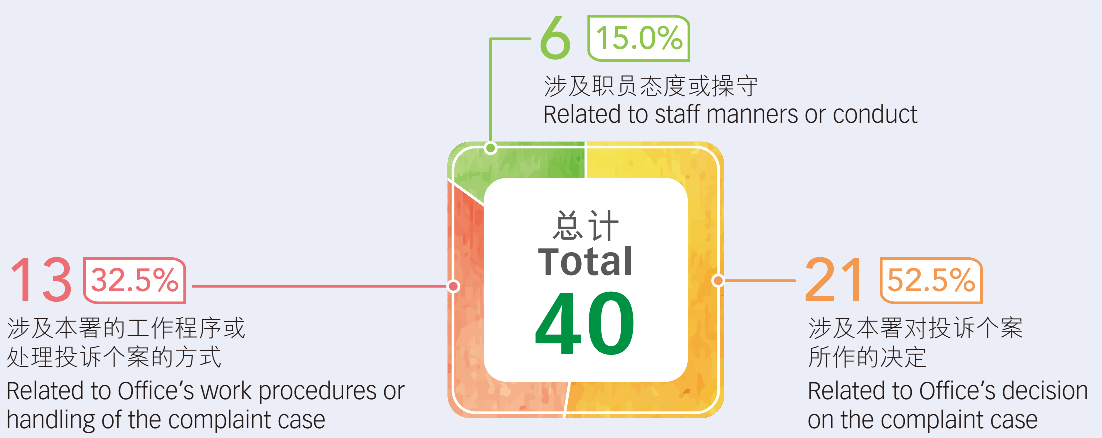
Feedback on Our Service

本年度，我们完成处理30宗市民对公署的投诉，内容涉及职员态度及／或工作程序。这些投诉皆反映个别人士对本署服务的期望。本署对每宗投诉均严肃处理及仔细调查。这些个案当中，有两宗经本署调查后认为职员确有不足之处，署方已为有关职员提供辅导。另外，超过半数个案源于投诉人不满意本署就其投诉政府部门或公营机构所作的结论和决定。我们已向投诉人解释，若对调查结果有异议，可按既定机制提出重新评审或覆检个案的要求。无论如何，我们重视市民表达的所有意见，并会从中汲取经验，藉以审视和改善服务。

We concluded 30 complaints against the Office concerning staff manners and/or our work procedures in the year, each representing an individual's expectations of our services. We took these complaints seriously and investigate each of them carefully. Inadequacy on the part of our staff was found in two cases, on which we followed up with counselling of the staff members concerned. Over half of the complaints against this Office stemmed from complainants' dissatisfaction with our conclusions and decisions on their cases against Government departments and public organisations. We explained to the complainants that for dispute over our findings, there was an established mechanism for re-assessment or review. In any event, these views and feedback offered much food for thought for us to review and improve our services.

对本署的投诉性质

Nature of complaints against the Office



注： 一宗投诉个案可能涉及多种性质。

Note: One complaint case may have more than one nature.



附录
APPENDICES



《申诉专员条例》附表所列机构一览
List of Scheduled Organisations

条例（第397章）附表1第1部所列机构[1]
Organisations Listed in Part 1 of Schedule 1, Cap. 397[1]

按英文字母顺序排列
in alphabetical order

机构	Organisation	简称 Abbreviation
会计及财务汇报局	Accounting and Financial Reporting Council	AFRC
渔农自然护理署	Agriculture, Fisheries and Conservation Department	AFCD
机场管理局	Airport Authority	AA
司法机构政务长辖下所有法院与审裁处的登记处及行政办事处	All registries and administrative offices of courts and tribunals for which the Judiciary Administrator has responsibility	JA
建筑署	Architectural Services Department	ArchSD
审计署	Audit Commission	Aud
医疗辅助队	Auxiliary Medical Service	AMS
医疗辅助队（政府部门）	Auxiliary Medical Service (Government department)	AMS
屋宇署	Buildings Department	BD
政府统计处	Census and Statistics Department	C&SD
民众安全服务队	Civil Aid Service	CAS
民众安全服务处（政府部门）	Civil Aid Service (Government department)	CAS
民航处	Civil Aviation Department	CAD
土木工程拓展署	Civil Engineering and Development Department	CEDD
公司注册处	Companies Registry	CR
竞争事务委员会	Competition Commission	ComC
消费者委员会	Consumer Council	CC
惩教署	Correctional Services Department	CSD
香港海关	Customs and Excise Department	C&ED
卫生署	Department of Health	DH
律政司	Department of Justice	DoJ
渠务署	Drainage Services Department	DSD
机电工程署	Electrical and Mechanical Services Department	EMSD
雇员再培训局	Employees Retraining Board	ERB
环境保护署	Environmental Protection Department	EPD
平等机会委员会	Equal Opportunities Commission	EOC
地产代理监管局	Estate Agents Authority	EAA
消防处	Fire Services Department	FSD
食物环境卫生署	Food and Environmental Hygiene Department	FEHD

《申诉专员条例》附表所列机构一览
List of Scheduled Organisations

机构	Organisation	简称 Abbreviation
行政长官办公室总务室	General Office of the Chief Executive's Office	CEO
政府飞行服务队	Government Flying Service	GFS
政府化验所	Government Laboratory	GovtLab
政府物流服务署	Government Logistics Department	GLD
政府产业署	Government Property Agency	GPA
政府总部	Government Secretariat	GS
– 政务司司长办公室	– Chief Secretary for Administration's Office	CSO
– 政务司司长私人办公室	– Chief Secretary for Administration's Private Office	CSPO
– 公务员事务局	– Civil Service Bureau	CSB
– 商务及经济发展局	– Commerce and Economic Development Bureau	CEDB
– 政制及内地事务局	– Constitutional and Mainland Affairs Bureau	CMAB
– 文化体育及旅游局	– Culture, Sports and Tourism Bureau	CSTB
– 发展局	– Development Bureau	DEVB
– 教育局	– Education Bureau	EDB
– 环境及生态局（前身为环境局）	– Environment and Ecology Bureau (formerly known as Environment Bureau)	EEB
– 财政司司长办公室	– Financial Secretary's Office	FSO
– 财政司司长私人办公室	– Financial Secretary's Private Office	FSPO
– 财经事务及库务局	– Financial Services and the Treasury Bureau	FSTB
– 医务卫生局（前身为食物及卫生局）	– Health Bureau (formerly known as Food and Health Bureau)	HHB
– 民政及青年事务局（前身为民政事务局）	– Home and Youth Affairs Bureau (formerly known as Home Affairs Bureau)	HYAB
– 房屋局（前身为运输及房屋局）	– Housing Bureau (formerly known as Transport and Housing Bureau)	HB
– 创新科技及工业局（前身为创新及科技局）[2]	– Innovation, Technology and Industry Bureau (formerly known as Innovation and Technology Bureau)[2]	ITIB
– 劳工及福利局	– Labour and Welfare Bureau	LWB
– 律政司司长办公室	– Secretary for Justice's Office	SJO
– 保安局	– Security Bureau	SB
– 运输及物流局（前身为运输及房屋局）	– Transport and Logistics Bureau (formerly known as Transport and Housing Bureau)	TLB

《申诉专员条例》附表所列机构一览
List of Scheduled Organisations

机构	Organisation	简称 Abbreviation
路政署	Highways Department	HyD
民政事务总署	Home Affairs Department	HAD
香港艺术发展局	Hong Kong Arts Development Council	HKADC
香港房屋委员会	Hong Kong Housing Authority	HKHA
香港房屋协会	Hong Kong Housing Society	HKHS
香港金融管理局	Hong Kong Monetary Authority	HKMA
香港天文台	Hong Kong Observatory	HKO
香港体育学院有限公司	Hong Kong Sports Institute Limited	HKSIL
医院管理局	Hospital Authority	HA
房屋署	Housing Department	HD
入境事务处	Immigration Department	ImmD
政府新闻处	Information Services Department	ISD
税务局	Inland Revenue Department	IRD
保险业监管局	Insurance Authority	IA
知识产权署	Intellectual Property Department	IPD
投资推广署	Invest Hong Kong	InvestHK
公务及司法人员薪俸及服务条件咨询委员会联合秘书处	Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service	JSSCS
九广铁路公司	Kowloon-Canton Railway Corporation	KCRC
劳工处	Labour Department	LD
土地注册处	Land Registry	LR
地政总署	Lands Department	LandsD
法律援助署	Legal Aid Department	LAD
立法会秘书处	Legislative Council Secretariat	LCS
康乐及文化事务署	Leisure and Cultural Services Department	LCSD
强制性公积金计划管理局	Mandatory Provident Fund Schemes Authority	MPFA
海事处	Marine Department	MD
通讯事务管理局办公室	Office of the Communications Authority	OFCA
破产管理署	Official Receiver's Office	ORO
规划署	Planning Department	PlanD
邮政署	Post Office	PO
个人资料私隐专员	Privacy Commissioner for Personal Data	PCPD
物业管理业监管局	Property Management Services Authority	PMSA

机构	Organisation	简称 Abbreviation
香港电台	Radio Television Hong Kong	RTHK
差饷物业估价署	Rating and Valuation Department	RVD
选举事务处	Registration and Electoral Office	REO
证券及期货事务监察委员会	Securities and Futures Commission	SFC
社会福利署	Social Welfare Department	SWD
香港考试及评核局	The Hong Kong Examinations and Assessment Authority	HKEAA
工业贸易署	Trade and Industry Department	TID
运输署	Transport Department	TD
旅游业监管局	Travel Industry Authority	TIA
库务署	Treasury	Try
大学教育资助委员会秘书处	University Grants Committee, Secretariat	UGC
市区重建局	Urban Renewal Authority	URA
职业训练局	Vocational Training Council	VTC
水务署	Water Supplies Department	WSD
西九文化区管理局	West Kowloon Cultural District Authority	WKCDA
在职家庭及学生资助事务处	Working Family and Student Financial Assistance Agency	WFSFAA

条例（第397章）附表1第2部所列机构
Organisations Listed in Part 2 of Schedule 1, Cap. 397

机构	Organisation	简称 Abbreviation
廉政公署	Independent Commission Against Corruption	ICAC
香港辅助警察队	Hong Kong Auxiliary Police Force	HKAPF
香港警务处	Hong Kong Police Force	HKPF
公务员叙用委员会秘书处	Secretariat of the Public Service Commission	PSC

注1. 政府新架构于2022年7月1日开始实行。本附录所列为架构重组后的决策局名称。
注2. 创新科技署、政府资讯科技总监办公室及效率促进办公室隶属创新科技及工业局。
Note 1. Re-organisation of the government structure took effect from 1 July 2022. The above are the names of the policy bureaux after the re-organisation.
Note 2. The Innovation and Technology Commission, the Office of the Government Chief Information Officer and the Efficiency Office are under the Innovation, Technology and Industry Bureau.

对投诉不予跟进或不展开调查的情况
Circumstances where Complaints are not Followed up or Investigated

不受申诉专员调查的行动 – 香港法例第397章附表2

1. 保安、防卫或国际关系
2. 法律程序或检控任何人的决定
3. 行政长官行使权力赦免罪犯
4. 合约或商业交易
5. 人事方面的事宜
6. 政府颁授勋衔、奖赏或特权
7. 行政长官亲自作出的行动
8. 有关施加或更改土地权益条款的决定
9. 与《香港公司收购、合并及股份回购守则》有关的行动
10. 香港辅助警察队、香港警务处或廉政公署就防止及调查任何罪行而采取的行动

Actions not Subject to Investigation – Schedule 2, Cap. 397

1. Security, defence or international relations
2. Legal proceedings or prosecution decisions
3. Exercise of power to pardon criminals
4. Contractual or other commercial transactions
5. Personnel matters
6. Grant of honours, awards or privileges by Government
7. Actions by the Chief Executive personally
8. Imposition or variation of conditions of land grant
9. Actions in relation to Hong Kong Codes on Takeovers and Mergers and Share Buy-backs
10. Crime prevention and investigation actions by the Hong Kong Auxiliary Police Force, the Hong Kong Police Force or the Independent Commission Against Corruption

调查投诉的限制 – 香港法例第397章第10(1)条

1. 投诉人对投诉事项已知悉超过24个月
2. 投诉由匿名者提出
3. 投诉人无从识别或下落不明
4. 投诉并非由感到受屈的人士或适当代表提出
5. 投诉人及投诉事项与香港并无任何关系
6. 投诉人有权利根据法律程序（司法覆核除外）提出上诉或寻求补救办法

Restrictions on Investigation of Complaints – Section 10(1), Cap. 397

1. Complainant having knowledge of subject of complaint for more than 24 months
2. Complaint made anonymously
3. Complainant not identifiable or traceable
4. Complaint not made by person aggrieved or suitable representative
5. Subject of complaint and complainant having no connection with Hong Kong
6. Statutory right of appeal or remedy by way of legal proceedings (except judicial review) being available to complainant

申诉专员可决定不展开调查的情况 – 香港法例第397章第10(2)条

1. 以前曾调查性质相近的投诉，而结果显示并无行政失当之处
2. 投诉关乎微不足道的事
3. 投诉事属琐屑无聊、无理取闹或非真诚作出
4. 因其他理由而无须调查（例如经正式审议和授权程序制定的政策）

Circumstances where The Ombudsman may Decide not to Investigate – Section 10(2), Cap. 397

1. Investigation of similar complaints before revealed no maladministration
2. Subject of complaint is trivial
3. Complaint is frivolous or vexatious or is not made in good faith
4. Investigation is, for any other reason, unnecessary (for example, policy made with proper authority following a due process)

个案数字
Caseload

		报告年度[1] Reporting year[1]				
		18/19	19/20	20/21	21/22	22/23
查询	Enquiries	10,403	8,581	7,505	8,851	9,279
投诉	Complaints					
(a) 须处理的投诉个案	(a) For processing	5,808	20,737	30,713	5,626	5,951
– 接到的投诉	– Received	4,991[349]	19,767[15,034]	29,814[25,155]	4,934[140]	5,357[233]
– 由上年度转入	– Brought forward	817	970	899	692	594
(b) 已完成的投诉个案	(b) Completed	4,838[353]	19,838[15,040]	30,021[25,155]	5,032[135]	5,323[254]
已跟进并终结	Pursued and concluded	2,912[344]	2,807[326]	2,826[249]	2,739[102]	2,558[138]
– 经查讯后终结[2]	– By inquiry[2]	2,502[326]	2,418[217]	2,480[246]	2,432[102]	2,112[119]
– 经全面调查后终结[3]	– By full investigation[3]	205[18]	240[109]	167[3]	92	141[16]
– 经调解后终结[4]	– By mediation[4]	205	149	179	215	305[3]
经评审并终结	Assessed and closed	1,926[9]	17,031[14,714]	27,195[24,906]	2,293[33]	2,765[116]
– 缺乏充分理据跟进[5]	– Insufficient grounds to pursue[5]	1,037[9]	8,676[7,496]	1,295[203]	1,171[6]	1,787[85]
– 受条例所限不得调查[6]	– Legally bound[6]	889	8,355[7,218]	25,900[24,703]	1,122[27]	978[31]
(c) 已完成的投诉个案百分比= (b)/(a)	(c) Percentage completed = (b)/(a)	83.3%	95.7%	97.7%	89.4%	89.5%
(d) 转拨下年度= (a) – (b)	(d) Carried forward = (a) – (b)	970	899	692	594	628
已完成的主动调查数目	Direct investigations completed	12	10	9	8	9

注1. 自每年4月1日至翌年3月31日。
注2. 根据《申诉专员条例》第11A条跟进的一般性质的个案。
注3. 根据《申诉专员条例》第12条跟进的较复杂的个案，当中可能涉及严重的行政失当、行政体制上的流弊等。
注4. 根据《申诉专员条例》第11B条跟进的个案，当中不涉及行政失当，或只涉及轻微的行政失当。
注5. 基于缺乏表面证据、所涉机构正采取行动，或投诉人只是表达意见等原因而不予跟进并已终结的个案。
注6. 不在本署职权范围内，或受《申诉专员条例》所限不得调查。
[ ] 表示属于同类主题投诉个案的数目。
– 有关上表使用的词汇的详细定义，请参阅第一章「用语词汇」。

Note 1. From 1 April to 31 March of the next year.
Note 2. Pursued under section 11A of The Ombudsman Ordinance, for general cases.
Note 3. Pursued under section 12 of The Ombudsman Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.
Note 4. Pursued under section 11B of The Ombudsman Ordinance, for cases involving no, or only minor, maladministration.
Note 5. Not pursued but closed for reasons such as lack of *prima facie* evidence, organisation concerned is taking action, mere expression of opinion.
Note 6. Outside the Office's jurisdiction or restricted by The Ombudsman Ordinance.
[ ] Number of topical complaints.
– See "Glossary of Terms" in Chapter 1 for detailed definitions of the above terms.

接到及已跟进并终结的投诉个案
Complaints Received and Complaints Pursued & Concluded

机构	Organisation	接到的投诉个案数目 No. of complaints received	已跟进并终结的投诉个案数目[1] No. of complaints pursued and concluded[1]
渔农自然护理署	Agriculture, Fisheries and Conservation Department	43	18
机场管理局	Airport Authority	7	4
建筑署	Architectural Services Department	9	8
审计署	Audit Commission	1	0
医疗辅助队	Auxiliary Medical Service	1	0
屋宇署	Buildings Department	222	110
政府统计处	Census and Statistics Department	3	0
民众安全服务处	Civil Aid Service	8	1
民航处	Civil Aviation Department	5	4
土木工程拓展署	Civil Engineering and Development Department	15	12
公司注册处	Companies Registry	21	5
竞争事务委员会	Competition Commission	2	0
消费者委员会	Consumer Council	26	6
惩教署	Correctional Services Department	37	22
香港海关	Customs and Excise Department	39	12
卫生署	Department of Health	277	196
律政司	Department of Justice	10	5
渠务署	Drainage Services Department	15	3
效率促进办公室	Efficiency Office	67	48
机电工程署	Electrical and Mechanical Services Department	25	6
雇员再培训局	Employees Retraining Board	9	1
环境保护署	Environmental Protection Department	73	42
平等机会委员会	Equal Opportunities Commission	24	1
地产代理监管局	Estate Agents Authority	15	19
消防处	Fire Services Department	37	14
食物环境卫生署	Food and Environmental Hygiene Department	455	251

接到及已跟进并终结的投诉个案
Complaints Received and Complaints Pursued & Concluded

机构	Organisation	接到的投诉个案数目 No. of complaints received	已跟进并终结的投诉个案数目[1] No. of complaints pursued and concluded[1]
行政长官办公室总务室	General Office of the Chief Executive's Office	9	4
政府飞行服务队	Government Flying Service	0	1
政府物流服务署	Government Logistics Department	4	0
政府产业署	Government Property Agency	2	0
政府总部	Government Secretariat		
– 政务司司长办公室	– Chief Secretary for Administration's Office	145	93
– 公务员事务局	– Civil Service Bureau	31	16
– 商务及经济发展局	– Commerce and Economic Development Bureau	2	2
– 政制及内地事务局	– Constitutional and Mainland Affairs Bureau	3	0
– 文化体育及旅游局	– Culture, Sports and Tourism Bureau	1	0
– 发展局	– Development Bureau	23	8
– 教育局	– Education Bureau	76	43
– 环境局	– Environment Bureau	2	1
– 环境及生态局	– Environment and Ecology Bureau	2	0
– 财政司司长办公室	– Financial Secretary's Office	3	0
– 财经事务及库务局	– Financial Services and the Treasury Bureau	68	27
– 食物及卫生局	– Food and Health Bureau	15	12
– 医务卫生局	– Health Bureau	55	29
– 民政事务局	– Home Affairs Bureau	3	4
– 民政及青年事务局	– Home and Youth Affairs Bureau	7	2
– 房屋局	– Housing Bureau	21	14
– 劳工及福利局	– Labour and Welfare Bureau	4	2
– 政策创新与统筹办事处	– Policy Innovation and Co-ordination Office	81	78
– 律政司司长办公室	– Secretary for Justice's Office	1	0
– 保安局	– Security Bureau	12	6
– 运输及房屋局	– Transport and Housing Bureau	9	9
– 运输及物流局	– Transport and Logistics Bureau	4	0

接到及已跟进并终结的投诉个案
Complaints Received and Complaints Pursued & Concluded

机构	Organisation	接到的投诉个案数目 No. of complaints received	已跟进并终结的投诉个案数目[1] No. of complaints pursued and concluded[1]
路政署	Highways Department	67	26
民政事务总署	Home Affairs Department	149	81
香港房屋委员会	Hong Kong Housing Authority	29	14
香港房屋协会	Hong Kong Housing Society	19	13
香港金融管理局	Hong Kong Monetary Authority	31	9
香港天文台	Hong Kong Observatory	1	1
香港警务处	Hong Kong Police Force	93	10
医院管理局	Hospital Authority	187	36
房屋署	Housing Department	536	302
入境事务处	Immigration Department	137	59
廉政公署	Independent Commission Against Corruption	4	0
政府新闻处	Information Services Department	2	1
税务局	Inland Revenue Department	60	26
创新科技署	Innovation and Technology Commission	5	2
保险业监管局	Insurance Authority	16	4
知识产权署	Intellectual Property Department	3	0
投资推广署	Invest Hong Kong	1	0
司法机构政务长	Judiciary Administrator	16	7
九广铁路公司	Kowloon-Canton Railway Corporation	2	1
劳工处	Labour Department	45	19
土地注册处	Land Registry	13	4
地政总署	Lands Department	227	126
法律援助署	Legal Aid Department	39	9
立法会秘书处	Legislative Council Secretariat	4	3
康乐及文化事务署	Leisure and Cultural Services Department	203	107
强制性公积金计划管理局	Mandatory Provident Fund Schemes Authority	15	3
海事处	Marine Department	11	6
通讯事务管理局办公室	Office of the Communications Authority	13	8
政府资讯科技总监办公室	Office of the Government Chief Information Officer	15	13
破产管理署	Official Receiver's Office	9	4
其他机构[2]	Other Organisations[2]	368	4

接到及已跟进并终结的投诉个案
Complaints Received and Complaints Pursued & Concluded

机构	Organisation	接到的投诉个案数目 No. of complaints received	已跟进并终结的投诉个案数目[1] No. of complaints pursued and concluded[1]
规划署	Planning Department	16	12
邮政署	Post Office	82	61
个人资料私隐专员	Privacy Commissioner for Personal Data	13	3
物业管理业监管局	Property Management Services Authority	42	18
香港电台	Radio Television Hong Kong	4	1
差饷物业估价署	Rating and Valuation Department	9	1
选举事务处	Registration and Electoral Office	8	1
证券及期货事务监察委员会	Securities and Futures Commission	130	107
社会福利署	Social Welfare Department	146	57
香港考试及评核局	The Hong Kong Examinations and Assessment Authority	4	5
工业贸易署	Trade and Industry Department	4	2
运输署	Transport Department	379	173
旅游业监管局	Travel Industry Authority	6	1
库务署	Treasury	1	0
大学教育资助委员会秘书处	University Grants Committee, Secretariat	2	1
市区重建局	Urban Renewal Authority	22	6
职业训练局	Vocational Training Council	9	7
水务署	Water Supplies Department	98	50
西九文化区管理局	West Kowloon Cultural District Authority	3	1
在职家庭及学生资助事务处	Working Family and Student Financial Assistance Agency	30	14
合计	**Total**	**5,357**	**2,558**

注1. 包括在上一个年度接到，但在本年度才完成跟进并终结的投诉个案。
注2. 「其他机构」是指不在《申诉专员条例》附表1内的机构。
注3. 政府新架构于2022年7月1日开始实行。本附录所列包括架构重组前后的决策局名称。
Note 1. Including the complaints received in the previous year but pursued and concluded in the prevailing year.
Note 2. "Other Organisations" are organisations falling outside Schedule 1 to The Ombudsman Ordinance.
Note 3. Re-organisation of the government structure took effect from 1 July 2022. The above incorporates the names of the policy bureaux before and after the re-organisation.

以查讯方式终结的投诉个案结果
Results of Complaints Concluded by Inquiry

机构	Organisation	以查讯方式终结的投诉个案数目 No. of complaints concluded by Inquiry	发现有缺失或不足之处的个案 Cases with inadequacies/deficiencies found
渔农自然护理署	Agriculture, Fisheries and Conservation Department	14	3
机场管理局	Airport Authority	4	0
建筑署	Architectural Services Department	8	1
屋宇署	Buildings Department	88	36
民众安全服务处	Civil Aid Service	1	1
民航处	Civil Aviation Department	4	1
土木工程拓展署	Civil Engineering and Development Department	10	0
公司注册处	Companies Registry	5	1
消费者委员会	Consumer Council	4	2
惩教署	Correctional Services Department	20	0
香港海关	Customs and Excise Department	11	2
卫生署	Department of Health	145	54
律政司	Department of Justice	5	1
渠务署	Drainage Services Department	3	0
效率促进办公室	Efficiency Office	45	9
机电工程署	Electrical and Mechanical Services Department	4	0
环境保护署	Environmental Protection Department	36	4
平等机会委员会	Equal Opportunities Commission	1	0
地产代理监管局	Estate Agents Authority	19	2
消防处	Fire Services Department	11	0
食物环境卫生署	Food and Environmental Hygiene Department	213	51

以查讯方式终结的投诉个案结果
Results of Complaints Concluded by Inquiry

机构	Organisation	以查讯方式终结的投诉个案数目 No. of complaints concluded by Inquiry	发现有缺失或不足之处的个案 Cases with inadequacies/ deficiencies found
行政长官办公室总务室	General Office of the Chief Executive's Office	4	0
政府总部	Government Secretariat		
– 政务司司长办公室	– Chief Secretary for Administration's Office	50	7
– 公务员事务局	– Civil Service Bureau	15	6
– 商务及经济发展局	– Commerce and Economic Development Bureau	2	0
– 发展局	– Development Bureau	8	1
– 教育局	– Education Bureau	36	3
– 环境局	– Environment Bureau	1	0
– 财经事务及库务局	– Financial Services and the Treasury Bureau	20	4
– 食物及卫生局	– Food and Health Bureau	10	6
– 医务卫生局	– Health Bureau	24	12
– 民政事务局	– Home Affairs Bureau	4	2
– 民政及青年事务局	– Home and Youth Bureau	2	0
– 房屋局	– Housing Bureau	10	0
– 劳工及福利局	– Labour and Welfare Bureau	2	0
– 政策创新与统筹办事处	– Policy Innovation and Co-ordination Office	25	5
– 保安局	– Security Bureau	3	1
– 运输及房屋局	– Transport and Housing Bureau	6	2
路政署	Highways Department	24	1
民政事务总署	Home Affairs Department	47	10
香港房屋委员会	Hong Kong Housing Authority	14	0
香港房屋协会	Hong Kong Housing Society	13	1
香港金融管理局	Hong Kong Monetary Authority	9	2

附录5 Appendix 5

以查讯方式终结的投诉个案结果
Results of Complaints Concluded by Inquiry

机构	Organisation	以查讯方式终结的投诉个案数目 No. of complaints concluded by Inquiry	发现有缺失或不足之处的个案 Cases with inadequacies/ deficiencies found
香港天文台	Hong Kong Observatory	1	0
香港警务处	Hong Kong Police Force	9	2
医院管理局	Hospital Authority	35	9
房屋署	Housing Department	278	23
入境事务处	Immigration Department	57	4
税务局	Inland Revenue Department	17	1
创新科技署	Innovation and Technology Commission	2	2
保险业监管局	Insurance Authority	4	0
司法机构政务长	Judiciary Administrator	7	0
九广铁路公司	Kowloon-Canton Railway Corporation	1	0
劳工处	Labour Department	18	0
土地注册处	Land Registry	4	0
地政总署	Lands Department	109	29
法律援助署	Legal Aid Department	8	0
立法会秘书处	Legislative Council Secretariat	3	2
康乐及文化事务署	Leisure and Cultural Services Department	89	16
强制性公积金计划管理局	Mandatory Provident Fund Schemes Authority	2	0
海事处	Marine Department	6	0
通讯事务管理局办公室	Office of the Communications Authority	7	0
政府资讯科技总监办公室	Office of the Government Chief Information Officer	11	1
破产管理署	Official Receiver's Office	4	0
其他机构[1]	Other Organisations[1]	4	0
规划署	Planning Department	9	0
邮政署	Post Office	54	13
个人资料私隐专员	Privacy Commissioner for Personal Data	3	0
物业管理业监管局	Property Management Services Authority	5	2

以查讯方式终结的投诉个案结果
Results of Complaints Concluded by Inquiry

机构	Organisation	以查讯方式终结的投诉个案数目 No. of complaints concluded by Inquiry	发现有缺失或不足之处的个案 Cases with inadequacies/ deficiencies found
香港电台	Radio Television Hong Kong	1	0
差饷物业估价署	Rating and Valuation Department	1	1
选举事务处	Registration and Electoral Office	1	0
证券及期货事务监察委员会	Securities and Futures Commission	107	1
社会福利署	Social Welfare Department	54	6
香港考试及评核局	The Hong Kong Examinations and Assessment Authority	5	1
工业贸易署	Trade and Industry Department	2	0
运输署	Transport Department	144	24
旅游业监管局	Travel Industry Authority	1	0
大学教育资助委员会秘书处	University Grants Committee, Secretariat	1	1
市区重建局	Urban Renewal Authority	6	1
职业训练局	Vocational Training Council	6	2
水务署	Water Supplies Department	44	6
在职家庭及学生资助事务处	Working Family and Student Financial Assistance Agency	12	0
合计	**Total**	**2,112**	**378**

注1. 「其他机构」是指不在《申诉专员条例》附表1内的机构。
注2. 政府新架构于2022年7月1日开始实行。本附录所列包括架构重组前后的决策局名称。
Note 1. “Other Organisations” are organisations falling outside Schedule 1 to The Ombudsman Ordinance.
Note 2. Re-organisation of the government structure took effect from 1 July 2022. The above incorporates the names of the policy bureaux before and after the re-organisation.

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Index of Cases Concluded by Full Investigation

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
渔农自然护理署 Agriculture, Fisheries and Conservation Department			
2022/0835	未有妥善管理某自然教育中心 Failing to properly manage a nature education centre	不成立 Unsubstantiated	0
2022/2366	不人道对待流浪狗 Inhumane treatment of stray dogs	不成立 Unsubstantiated	0
2022/3305	防疫措施陆续放宽，但迟迟不重开辖下烧烤及露营地点，做法失当 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
2022/3368	防疫措施陆续放宽，但迟迟不重开辖下烧烤及露营地点，做法失当 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
屋宇署 Buildings Department			
2021/2055	(1) 没有妥善跟进某顾问公司、工程承建商及注册检验人员涉嫌违反《强制验楼计划及强制验窗计划作业守则2012》的投诉（不成立）； (2) 没有妥善跟进工程承建商违反小型工程监管制度的问题（成立）；以及 (3) 向顾问公司职员透露投诉人的身份（成立） (1) Failing to properly follow up on the complaint against a consultant, a works contractor and registered inspectors for alleged non-compliance with the Code of Practice Notes for the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme 2012 (unsubstantiated); (2) Failing to properly follow up on the works contractor's non-compliance with the requirements under the Minor Works Control System (substantiated); and (3) Disclosing the complainant's identity to the consultant's staff (substantiated)	部分成立 Partially substantiated	2

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2021/4197	未有妥善监管承办商就强制验楼计划进行的维修工程 Failing to properly monitor the repair works carried out by a contractor under the Mandatory Building Inspection Scheme	部分成立 Partially substantiated	0
2021/4354	没有跟进某塑胶回收场违例搭建上盖一事 Failing to follow up on the unauthorised erection of roof cover at a plastic recycling yard	不成立 Unsubstantiated	2
2022/0569A	渗水投诉复函与渗水调查报告内容不相符 The reply letter of a water seepage complaint did not correspond with the relevant investigation reports	部分成立 Partially substantiated	3
2022/0975A	没有妥善跟进某新界豁免管制屋宇有违规构筑物的举报 Failing to properly follow up on a report of unauthorised structures in a New Territories Exempted House	部分成立 Partially substantiated	1
2022/1851	错误评定投诉人不能视为自动胜任《2020年建筑物（小型工程）（修订）规例》下某项小型工程的注册小型工程承建商（个人） Mistakenly assessed that the complainant could not be automatically regarded as a Registered Minor Works Contractor (Individual) for an item of minor works under the Building (Minor Works) (Amendment) Regulation 2020	不成立 Unsubstantiated	0
土木工程拓展署 Civil Engineering and Development Department			
2022/1038(I)	拒绝提供某公营房屋计划的相关报告 Refusing to provide certain reports relating to a public housing project	不成立 Unsubstantiated	0
2022/2089(I)	无理拒绝披露一份涉及中部水域人工岛研究的工作文件 Unreasonably refusing to provide a working paper relating to the Study on the Artificial Islands in the Central Waters	不成立 Unsubstantiated	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
惩教署 **Correctional Services Department**			
2021/4326D(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
2022/1648(I)	拒绝披露有关为在囚人士提供「去激化」更新计划的资料 Refusing to disclose information about the de-radicalisation rehabilitation programmes offered to persons in custody	不成立 Unsubstantiated	0
香港海关 **Customs and Excise Department**			
2021/4326C(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
卫生署 **Department of Health**			
2022/0225	向投诉人和家人发出的检疫令资料有误，但职员未有妥善跟进问题 Making factual errors in the quarantine orders issued to the complainant and his family and failing to take proper follow-up action	部分成立 Partially substantiated	5
2022/0578	(1) 错误把没有2019冠状病毒病确诊个案的大厦纳入过去14天内有阳性检测个案的住宅大厦名单（成立）； (2) 没有向投诉人解释及致歉（不成立）；以及 (3) 没有妥善跟进（成立） (1) Mistakenly putting a building that did not involve any confirmed cases of COVID-19 on the list of residential buildings with cases tested positive within 14 days (substantiated); (2) Failing to explain and apologise to the complainant (unsubstantiated); and (3) Failing to take proper follow-up action (substantiated)	部分成立 Partially substantiated	3

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recommendations
2022/0943	(1) 未有妥善及适时向投诉人五名家人发出隔离文件（部分成立）； (2) 在两份隔离文件上串错姓名（成立）；以及 (3) 热线中心协调不足，职员重复索取投诉人家人的资料（成立） (1) Failing to properly and promptly issue isolation documents to the complainant's five family members (partially substantiated); (2) Spelling the name wrong on two of the isolation documents (substantiated); and (3) Lack of coordination between call centres, such that their staff repeatedly asked for information about the complainant's family members (substantiated)	成立 Substantiated	5
2022/1112(I)	(1) 延误提供在香港没有接种新冠疫苗人士的分项数字（成立）； (2) 未有披露部分投诉人所要求的没有接种新冠疫苗人士的分项数字（成立）；以及 (3) 没有向投诉人提供部门的联络电话号码（投诉不成立，但机构另有缺失） (1) Delay in providing the breakdown figures of unvaccinated population against COVID-19 in Hong Kong (substantiated); (2) Failing to disclose part of the requested breakdown figures of unvaccinated population against COVID-19 (substantiated); and (3) Failing to provide a contact telephone number of the Department to the complainant (unsubstantiated but other inadequacies found)	部分成立 Partially substantiated	0
2022/1516A	未能解决投诉人上载新冠疫苗记录到「安心出行」应用程式后出现的问题 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	部分成立 Partially substantiated	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2418B	(1) 未有妥善跟进在围封强检行动中发现的确诊个案，安排相关人士入住隔离设施（部分成立）；以及 (2) 未有适时发出隔离／检疫文件（成立） (1) Failing to properly follow up on the COVID-19 cases identified during a “restriction-testing declaration” operation and arrange admission of the persons concerned to isolation facilities (partially substantiated); and (2) Failing to issue isolation/quarantine documents in a timely manner (substantiated)	部分成立 Partially substantiated	0
2022/2642	(1) 职员培训不足，提供错误及前后不一的讯息（成立）；以及 (2) 职员办事疏忽，令投诉人多次收到错误的检疫文件（成立） (1) Providing incorrect and inconsistent information due to lack of staff training (substantiated); and (2) Staff negligence which resulted in the complainant’s receiving a number of wrong quarantine documents (substantiated)	成立 Substantiated	0
2022/2837A	没有妥善核对确诊人士的个人资料，以致错误将投诉人家人的「安心出行」应用程式转为红色二维码 Failing to properly verify the personal particulars of COVID-19 cases, causing the Vaccine Pass in the “LeaveHomeSafe” mobile app of the complainant’s family member to mistakenly change to Red Code	成立 Substantiated	0
2022/2862	(1) 有关最新隔离及检疫要求的资料只提供中英文版，而机场并无咨询柜台（不成立）；以及 (2) 未能充分及有效提示外籍家庭佣工有关强制检测的要求（不成立） (1) Providing information on the latest quarantine and testing requirements only in Chinese and English and having no enquiry help desk at the airport (unsubstantiated); and (2) Insufficient and ineffective reminders for foreign domestic helpers about the compulsory testing requirement (unsubstantiated)	不成立 Unsubstantiated	0

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
效率促进办公室 **Efficiency Office**			
2022/0871A	在第五波疫情期间，1823未能与运输署就处理市民的电邮作出妥善安排 1823 having failed to make proper arrangement with the Transport Department regarding handling of emails from members of the public amid the fifth wave of COVID-19	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1
2022/1516B	未能解决投诉人上载新冠疫苗记录到「安心出行」应用程式后出现的问题 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	不成立 Unsubstantiated	0
2022/2065	没有回复投诉，以及没有应投诉人要求提供职员的姓名、职级和电话号码 Failing to reply to a complaint and respond to the complainant's request for the name, rank and telephone number of a staff member	成立 Substantiated	2
机电工程署 **Electrical and Mechanical Services Department**			
2022/1020A	未有就某专用石油气加气站的续约事宜进行咨询 Failing to hold a consultation on the contract renewal of a dedicated liquefied petroleum gas filling station	不成立 Unsubstantiated	0
2022/2481	(1) 某项电力工程的验收工作有遗漏（不成立）； (2) 无理要求投诉人先录取警诫供词，才立案处理他的举报（不成立）；以及 (3) 没有适当处理投诉人就上述电力工程涉嫌违反《电力条例》或相关附属规例的举报（成立） (1) Omission in the inspection of electrical works (unsubstantiated); (2) Unreasonably requiring the complainant to give a cautioned statement before initiating investigation into his report (unsubstantiated); and (3) Failing to properly handle the complainant's report of suspected contraventions of the Electricity Ordinance or its subsidiary legislation (substantiated)	部分成立 Partially substantiated	2

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
雇员再培训局 Employees Retraining Board			
2022/1957	课程申请表上有关填报「最高学历」的指示和说明不清晰 Unclear guidelines on and definition of the term “highest educational attainment” in the course application form	成立 Substantiated	1
环境保护署 Environmental Protection Department			
2021/3194	对某塑胶回收场造成的空气污染问题跟进不力 Ineffective follow-up action on the air pollution caused by a plastic recycling yard	不成立 Unsubstantiated	0
2022/1020B	(1) 未有就某专用石油气加气站的续约事宜进行咨询（成立）；以及 (2) 未有妥善跟进上述专用石油气加气站的噪音问题（不成立） (1) Failing to hold a consultation on the contract renewal of a dedicated liquefied petroleum gas filling station (substantiated); and (2) Failing to properly follow up on the problem of noise caused by the dedicated liquefied petroleum gas filling station (unsubstantiated)	部分成立 Partially substantiated	1
2022/2068B	(1) 没有妥善处理某村屋非法排放污水的投诉（不成立）；以及 (2) 没有回复投诉人经1823作出的投诉（不成立） (1) Failing to properly handle a complaint about illegal discharge of effluent from a village house (unsubstantiated); and (2) Failing to reply to the complainant’s complaint lodged with 1823 (unsubstantiated)	不成立 Unsubstantiated	1

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
消防处 Fire Services Department			
2021/3999C	在巡视某跳蚤市场后，没有妥善跟进市场的消防安全问题 Failing to properly follow up on the fire safety issue of a flea market after an on-site inspection	不成立 Unsubstantiated	0
2021/4326E(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department’s staff	不成立 Unsubstantiated	0
2022/3162D	没有妥善跟进露宿者占用某公众码头的问题 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
食物环境卫生署 Food and Environmental Hygiene Department			
2021/3102	(1) 未有就某无牌食肆申请封闭命令（投诉不成立，但机构另有缺失）；以及 (2) 没有回复投诉人的查询（成立） (1) Failing to apply for a Closure Order against an unlicensed restaurant (unsubstantiated but other inadequacies found); and (2) Failing to respond to the complainant’s enquiry (substantiated)	部分成立 Partially substantiated	8
2022/0569B	渗水投诉复函与渗水调查报告内容不相符 The reply letter of a water seepage complaint did not correspond with the relevant investigation reports	部分成立 Partially substantiated	3
2022/1624	就某屋苑多间店铺在行人路摆放货物造成阻碍执法不力 Ineffective enforcement action against the goods placed on a pavement by many shops in a housing estate	不成立 Unsubstantiated	0
2022/1726	没有妥善处理某菜档占用路口、在公众地方摆放发泡胶箱，以及在附近堆积垃圾的问题 Failing to properly tackle the problems caused by a vegetable stall’s occupation of a road junction, placing polyfoam boxes in public places and piling refuse in the vicinity	不成立 Unsubstantiated	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1752A	就某屋苑的店铺非法扩展营业范围及无牌小贩阻塞附近的紧急车辆通道执法不力 Ineffective enforcement action against unauthorised extension of business area by shops in a housing estate and obstruction to a nearby emergency vehicular access by unlicensed hawkers	不成立 Unsubstantiated	0
2022/2068A	没有妥善处理某村屋非法排放污水而造成卫生滋扰的投诉 Failing to properly handle a complaint about environmental hygiene nuisance caused by illegal discharge of effluent from a village house	不成立 Unsubstantiated	0
2022/2902	(1) 未有监察某乡事委员会签发原居民证明书的程序（不成立）；以及 (2) 欠缺上诉机制，处理乡事委员会拒绝的申请（不成立） (1) Failing to monitor a rural committee in the process of issuing certificates of indigenous residents (unsubstantiated); and (2) Lack of an appeal mechanism for cases turned down by the rural committee (unsubstantiated)	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1
2022/3162B	没有妥善跟进露宿者占用某公众码头的问题 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
政府飞行服务队 Government Flying Service			
2021/4326G(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
政府总部 – 公务员事务局 Government Secretariat – Civil Service Bureau			
2022/2257	在投诉人父亲透过「疫苗到户接种服务」接种第一剂新冠疫苗后，未有适时安排他接种第二剂，直至接到投诉才作跟进，而且接种当天的安排混乱 Failing to arrange timely administration of the second dose of COVID-19 vaccine for the complainant's father after he had received the first dose under the Home Vaccination Service, taking no follow-up action before receiving the complaint, and the arrangement on the day of vaccine administration being chaotic	不成立 Unsubstantiated	0

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政府总部 – 教育局 **Government Secretariat – Education Bureau**			
2021/3695	(1) 包庇某教师及对已离职教师怀疑专业失德的行为缺乏监管（不成立）； (2) 对某教师及某学院的投诉处理不善（部分成立）；以及 (3) 对该局职员的投诉处理欠妥（不成立） (1) Harbouring a teacher and lack of regulation of alleged misconduct of resigned teachers (unsubstantiated); (2) Improper handling of a complaint against a teacher and an institute (partially substantiated); and (3) Improper handling of a complaint against the Bureau's staff (unsubstantiated)	部分成立 Partially substantiated	3
2021/4263	就2019冠状病毒病疫情期间恢复全日面授课堂和课外活动，为本地学校和国际学校定出不同要求，做法不合理；该局亦没有告知市民有关要求 Unreasonably having different requirements for local and international schools to resume full-day face-to-face classes and extra-curricular activities during the COVID-19 epidemic and failing to inform the public of such requirements	不成立 Unsubstantiated	2
2021/4427(I)	拒绝提供小学生退学的统计数据 Refusing to provide statistics relating to dropouts of primary schools	不成立 Unsubstantiated	0
2022/1959	(1) 没有认真跟进投诉人指学校辅导主任对她女儿作出不恰当肢体接触的投诉（部分成立）；以及 (2) 容许学校拖延处理她查看闭路电视片段的要求（不成立） (1) Perfunctory follow-up on the complainant's allegation against her daughter's guidance teacher for improper physical contact (partially substantiated); and (2) Allowing the school to delay processing her request for viewing the closed-circuit television footage (unsubstantiated)	部分成立 Partially substantiated	3

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政府总部 – 财经事务及库务局 Government Secretariat – Financial Services and the Treasury Bureau			
2022/2679(I)	拒绝提供有关「未来基金」辖下「香港增长组合」的资金配置资料 Refusing to provide information on allocations of Hong Kong Growth Portfolio of Future Fund	不成立 Unsubstantiated	0
政府总部 – 食物及卫生局 Government Secretariat – Food and Health Bureau			
2022/1154B	(1) 未有调配足够资源以应付大量申报非本地新冠疫苗接种记录的申请（成立）；以及 (2) 指定邮政局接受申报的每日名额不足够，并质疑是否有需要亲身申报有关记录（成立） (1) Failing to deploy sufficient resources to deal with a large amount of applications for declaring non-local vaccination records (substantiated); and (2) Inadequate daily quota of registration service at designated post offices and doubt on whether the declaration must be made in person (substantiated)	成立 Substantiated	0
2022/1535	向长者免费派发快速抗原测试套装的安排混乱，协调不足 Confusing arrangements and lack of coordination in distribution of free rapid antigen test kits to elderly persons	部分成立 Partially substantiated	2
政府总部 – 医务卫生局 Government Secretariat – Health Bureau			
2022/0234C	没有在围封强检行动完结前上门为投诉人的父母采样 Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation	成立 Substantiated	1
2022/1516D	未能解决投诉人上载新冠疫苗记录到「安心出行」应用程式后出现的问题 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	0

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2195	给投诉人的回复有欠详尽，并无说明应向哪个部门举报违法事宜 Giving an inadequate reply to the complainant, without telling him to which departments reports of contravention could be made	成立 Substantiated	1
2022/2418A	未有妥善跟进在围封强检行动中发现的确诊个案，安排相关人士入住隔离设施 Failing to properly follow up on the COVID-19 cases identified during a "restriction-testing declaration" operation and arrange admission of the persons concerned to isolation facilities	部分成立 Partially substantiated	0
政府总部 – 房屋局 **Government Secretariat – Housing Bureau**			
2022/2400(1)	(1) 前运输及房屋局和接手处理的房屋局将某块用地作过渡性房屋用途，漠视居民对政府所承诺作休憩用地的渴望和意见（不成立）；以及 (2) 成功申办的团体获豁免有关网站订明的要求，无须申请临时用途修订规划许可和进行公众咨询，对其他申办团体不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2

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2022/2400(2)	(1) 前运输及房屋局和接手处理的房屋局将某块用地作过渡性房屋用途，漠视居民对政府所承诺作休憩用地的渴望和意见（不成立）；以及 (2) 成功申办的团体获豁免有关网站订明的要求，无须申请临时用途修订规划许可和进行公众咨询，对其他申办团体不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2
2022/2400(3)	(1) 前运输及房屋局和接手处理的房屋局将某块用地作过渡性房屋用途，漠视居民对政府所承诺作休憩用地的渴望和意见（不成立）；以及 (2) 成功申办的团体获豁免有关网站订明的要求，无须申请临时用途修订规划许可和进行公众咨询，对其他申办团体不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2400(4)	(1) 前运输及房屋局和接手处理的房屋局将某块用地作过渡性房屋用途，漠视居民对政府所承诺作休憩用地的渴望和意见（不成立）；以及 (2) 成功申办的团体获豁免有关网站订明的要求，无须申请临时用途修订规划许可和进行公众咨询，对其他申办团体不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2
政府总部 – 政策创新与统筹办事处 Government Secretariat – Policy Innovation and Co-ordination Office			
2022/1720A	(1) 延误处理投诉人就临时失业支援计划提出的申请（不成立）； (2) 无理拒绝其申请（不成立）；以及 (3) 在覆核其申请时，多次要求投诉人提供同类资料（不成立） (1) Delay in processing the complainant's application for the Temporary Unemployment Relief Scheme (unsubstantiated); (2) Unreasonably refusing the application (unsubstantiated); and (3) Having repeatedly requested the complainant to provide similar information during the review process (unsubstantiated)	不成立 Unsubstantiated	0

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政府总部 – 保安局 Government Secretariat – Security Bureau			
2021/4326A(I)	无理拒绝涉及纪律部队职员接受利益的统计数字的覆检申请 Unreasonably refusing requests for review concerning the statistics on acceptance of advantages by staff of disciplined services	不成立 Unsubstantiated	0
2022/0909	对某社区隔离设施管理不善，没有妥善跟进地面有积水的投诉 Poor management of a community isolation facility such that the Bureau failed to properly follow up on a complaint about pools of water on the ground	不成立 Unsubstantiated	0
2022/3105(I)	无理拒绝提供所有社区隔离设施自启用以来的每日入住数字 Unreasonably refusing to provide the daily occupancy statistics of all the community isolation facilities since they were in use	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	0
政府总部 – 运输及房屋局 Government Secretariat – Transport and Housing Bureau			
2021/3870A(I)	没有按《公开资料守则》订明的时限回复索取资料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	0
2022/1348	(1) 不当地将一块用地作过渡性房屋用途，漠视居民对改善区内康乐设施的诉求，有违他们对事涉用地发展的合理期望（不成立）；以及 (2) 没有按既定程序就事涉项目进行咨询，公布的资讯亦有误导之嫌（部分成立） (1) Inappropriate use of a site for transitional housing, ignoring local residents' demand for more recreational facilities and acting against their reasonable expectation of the site development (unsubstantiated); and (2) Failing to follow the established procedures to hold a consultation on the project and releasing misleading information (partially substantiated)	部分成立 Partially substantiated	2

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2022/1584	(1) 不当地将一块用地作过渡性房屋用途，漠视居民对改善区内康乐设施的诉求，有违他们对事涉用地发展的合理期望（不成立）；以及 (2) 没有按既定程序就事涉项目进行咨询，公布的资讯亦有误导之嫌（部分成立） (1) Inappropriate use of a site for transitional housing, ignoring local residents' demand for more recreational facilities and acting against their reasonable expectation of the site development (unsubstantiated); and (2) Failing to follow the established procedures to hold a consultation on the project and releasing misleading information (partially substantiated)	部分成立 Partially substantiated	2
路政署 Highways Department			
2022/1123	未有修葺某路段的坑洞，却声称已完成维修 Failing to repair a pothole on a road but claiming to have done it	不成立 Unsubstantiated	0
民政事务总署 Home Affairs Department			
2021/3417	延误告知投诉人，某过渡性房屋事宜的咨询期限已延长 Delay in informing the complainant of the extended consultation period concerning a transitional housing estate	成立 Substantiated	0
2021/3748(I)	没有按《公开资料守则》订明的时限回复索取资料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	1
2021/4203B	没有妥善作出协调，以解决运输署与地政总署之间就处理露天公共运输交汇处内违泊单车的权责分歧 Failing to properly coordinate the Transport Department and the Lands Department to resolve the dispute on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	部分成立 Partially substantiated	0

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2022/0234A	(1) 没有在围封强检行动完结前上门为投诉人的父母采样（投诉不成立，但机构另有缺失）；以及 (2) 误指投诉人的父母可用粪便样本瓶收集样本以进行检测（成立）	部分成立	1
	(1) Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation (unsubstantiated but other inadequacies found); and (2) Wrongly advising the complainant's parents to use stool specimen bottle for specimen collection (substantiated)	Partially substantiated	
2022/0844B	(1) 无理规定「物业管理业界（环境卫生和保安人员）抗疫支援计划」的申请必须由大厦、商厦、工厂的业主立案法团提出，否则前线保安员不会获发津贴（不成立）；以及 (2) 计划的申请安排不符合相关政策，以致有保安员未能获发津贴（不成立）	不成立	0
	(1) Unreasonably requiring that applications for the allowance under the Anti-epidemic Support Scheme for Environmental Hygiene and Security Staff in Property Management Sector must be submitted by owners' corporations of buildings, commercial buildings and factories, otherwise frontline security guards would not be granted the allowance (unsubstantiated); and (2) Scheme arrangement was not in line with the relevant policy, making some security guards unable to receive the allowance (unsubstantiated)	Unsubstantiated	
2022/1720B	(1) 延误处理投诉人就临时失业支援计划提出的申请（不成立）； (2) 无理拒绝其申请（不成立）；以及 (3) 在覆核其申请时，多次要求投诉人提供同类资料（不成立）	不成立	0
	(1) Delay in processing the complainant's application for the Temporary Unemployment Relief Scheme (unsubstantiated); (2) Unreasonably refusing the application (unsubstantiated); and (3) Having repeatedly requested the complainant to provide similar information during the review process (unsubstantiated)	Unsubstantiated	

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2022/2422A	对某单车店长期霸占公众单车泊位所采取的行动／措施不足或无效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	不成立 Unsubstantiated	0
香港警务处 Hong Kong Police Force			
2021/4326F(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
房屋署 Housing Department			
2022/0166	编配租住公屋单位给申诉人时，未有考虑其处境 Failing to consider the complainant's situation when allocating public rental housing units to her	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	4
2022/0234B	没有在围封强检行动完结前上门为投诉人的父母采样 Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1
2022/2046	投诉人表明反对，但该署仍继续以邮寄信件的方式联络投诉人 Continuing to communicate with the complainant by post despite the latter's objection to such arrangement	成立 Substantiated	2
2022/2185	未有监察某公共屋邨的管理公司如何处理违例装设晒衣架的问题 Failing to monitor the handling of unauthorised laundry racks in a public housing estate by the management company	部分成立 Partially substantiated	1

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入境事务处 Immigration Department			
2021/4326B(I)	无理拒绝披露部门职员接受利益的统计数字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
政府新闻处 Information Services Department			
2022/2434(I)	无理拒绝提供受邀到现场采访七一回归庆祝活动的传媒机构名单，以及与拣选传媒机构的准则有关的内部指引或政策 Unreasonably refusing to provide a list of media organisations invited to cover the July 1 Reunification Anniversary events and the internal guidelines or policies pertaining to the selection criteria of media organisations	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1
地政总署 Lands Department			
2021/3368	(1) 对某塑胶回收场涉嫌占用政府土地和违反土地用途一事跟进不力（成立）；以及 (2) 没有阻止该塑胶回收场搭建新的上盖（不成立） (1) Ineffective follow-up action on suspected occupation of Government land and non-compliance with land use by a plastic recycling yard (substantiated); and (2) Failing to stop the erection of roof cover at the plastic recycling yard (unsubstantiated)	部分成立 Partially substantiated	3
2021/3870B(I)	没有按《公开资料守则》订明的时限回复索取资料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	1
2021/4203D	迟迟未解决与运输署之间就处理露天公共运输交汇处内违泊单车的权责分歧 Delay in resolving the dispute with the Transport Department on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	成立 Substantiated	1

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2022/0975B	没有妥善跟进某新界豁免管制屋宇有违规构筑物的举报 Failing to properly follow up on a report of unauthorised structures in a New Territories Exempted House	部分成立 Partially substantiated	2
2022/2422D	对某单车店长期霸占公众单车泊位所采取的行动／措施不足或无效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	不成立 Unsubstantiated	0
2022/3162C	没有妥善跟进露宿者占用某公众码头的问题 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
康乐及文化事务署 Leisure and Cultural Services Department			
2022/1254	(1) 将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公（不成立）；以及 (2) 网上预订服务的平台经常在繁忙时间挤塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1294	(1) 将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公（不成立）；以及 (2) 网上预订服务的平台经常在繁忙时间挤塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1320	(1) 将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公（不成立）；以及 (2) 网上预订服务的平台经常在繁忙时间挤塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1321	将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0
2022/1322	(1) 将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公（不成立）；以及 (2) 网上预订服务的平台经常在繁忙时间挤塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1357	将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1786	将每日订场柜台及自助服务站的服务时间更改为较「康体通」网上预订服务的时间迟15分钟开始，对亲身排队订场的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0
2022/2422B	对某单车店长期霸占公众单车泊位所采取的行动／措施不足或无效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for occupation of public bicycle parking spaces	不成立 Unsubstantiated	1
2022/2690(I)	未有妥善处理有关某游泳池的索取资料要求 Failing to properly handle a request for information regarding a swimming pool	部分成立 Partially substantiated	2
2022/3159	未有就某公园露宿者聚集的情况采取适当行动 Failing to take proper action on street sleepers inside a park	不成立 Unsubstantiated	0
2022/3555	防疫措施陆续放宽，但迟迟不重开辖下烧烤及露营地点，做法失当 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
2022/3637B	(1) 未有解决某公众停车场长期被闲置车辆占用的问题（不成立）；以及 (2) 拒绝采纳装设停车收费表的建议（不成立） (1) Failing to tackle the problem of prolonged occupation by dormant vehicles at a public carpark (unsubstantiated); and (2) Refusing to adopt the suggestion of installing parking meters (unsubstantiated)	不成立 Unsubstantiated	1

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recommendations
通讯事务管理局办公室 Office of the Communications Authority			
2022/0980	(1) 没有妥善跟进投诉人对电视台的新闻报道内容有误的投诉（投诉不成立，但机构另有缺失）；以及 (2) 没有正面回应投诉人有关该办处理广播内容投诉的查询（部分成立） (1) Failing to properly follow up the complainant's complaint about inaccurate content of news report broadcast on television (unsubstantiated but other inadequacies found); and (2) Failing to address the complainant's enquiry about its handling of complaints about broadcast materials (partially substantiated)	部分成立 Partially substantiated	2
政府资讯科技总监办公室 Office of the Government Chief Information Officer			
2022/1516C	未能解决投诉人上载新冠疫苗记录到「安心出行」应用程式后出现的问题 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	不成立 Unsubstantiated	0
2022/2837B	没有妥善核对确诊人士的个人资料，以致错误将投诉人家人的「安心出行」应用程式转为红色二维码 Failing to properly verify the personal particulars of COVID-19 cases, causing the Vaccine Pass in the "LeaveHomeSafe" mobile app of the complainant's family member to mistakenly change to Red Code	不成立 Unsubstantiated	0
规划署 Planning Department			
2021/3367	(1) 没有对某塑胶回收场的涉嫌违例发展执法（不成立）；以及 (2) 没有阻止该塑胶回收场搭建新的上盖（不成立） (1) Failing to take enforcement action against suspected unauthorised development at a plastic recycling yard (unsubstantiated); and (2) Failing to stop the erection of roof cover at the plastic waste recycling yard (unsubstantiated)	不成立 Unsubstantiated	0

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2021/4445(I)	拒绝提供某策略性研究的评估报告 Refusing to provide assessment reports for a strategic study	不成立 Unsubstantiated	0
2022/0657(I)	拒绝提供某策略性研究的评估报告 Refusing to provide assessment reports for a strategic study	不成立 Unsubstantiated	0
邮政署 **Post Office**			
2022/1154A	(1) 未有调配足够资源以应付大量申报非本地新冠疫苗接种记录的申请（不成立）；以及 (2) 指定邮政局接受申报的每日名额不足够，并质疑是否有需要亲身申报有关记录（不成立） (1) Failing to deploy sufficient resources to deal with a large amount of applications for declaring non-local vaccination records (unsubstantiated); and (2) Insufficient daily quota of registration service at designated post offices and doubt on whether declarations must be made in person (unsubstantiated)	不成立 Unsubstantiated	0
2022/1696	无理退回包裹而不退还邮费及作书面解释 Unreasonably returning parcels without giving postage refund or written reasons	部分成立 Partially substantiated	4
2022/2096B	(1) 把挂号邮件投入邮箱而不按既定做法派送（投诉不成立，但机构另有缺失）；以及 (2) 追查邮件所费时间过长（部分成立） (1) Unreasonably charging extra fees for reissuance of a renewed vehicle licence (unsubstantiated but other inadequacies found); and (2) Lengthy process of mail tracing (partially substantiated)	部分成立 Partially substantiated	0
2022/2465	无理把挂号邮件投入邮箱而不按既定做法派送，以及事后补拍照片作为派递记录 Unreasonably putting a registered mail item into the mailbox instead of delivering it according to the protocol and taking a picture for record subsequent to the delivery	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/3124(I)	拒绝提供两间邮政局的每月交易量 Refusing to provide the monthly transaction volume of two post offices	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1
2022/3251	派递特快专递邮件的短讯通知安排有欠妥善 Inadequacies in the arrangement for SMS notification for “Speedpost” delivery	不成立 Unsubstantiated	0
2022/3379	派递入口平邮包裹的短讯通知安排有欠妥善，以及没有按最新派递指示派递邮件 Inadequacies in the arrangement for SMS notification for inward surface parcel delivery and failure to deliver the mail item according to the latest delivery instruction	部分成立 Partially Substantiated	1
物业管理业监管局 Property Management Services Authority			
2022/0844A	(1) 无理规定「物业管理业界（环境卫生和保安人员）抗疫支援计划」的申请必须由大厦、商厦、工厂的业主立案法团提出，否则前线保安员不会获发津贴（不成立）；以及 (2) 计划的申请安排不符合相关政策，以致有保安员未能获得津贴（不成立） (1) Unreasonably requiring that applications for the allowance under the Anti-epidemic Support Scheme for Environmental Hygiene and Security Staff in Property Management must be submitted by owners’ corporations of buildings, commercial buildings and factories, otherwise frontline security guards would not be granted the allowance (unsubstantiated); and (2) Scheme arrangement was not in line with the relevant policy, making some security guards unable to receive the allowance (unsubstantiated)	不成立 Unsubstantiated	0

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
社会福利署 Social Welfare Department			
2022/1505	(1) 没有妥善跟进有关两间慈善机构的举报（不成立）；以及 (2) 对街头筹款活动缺乏妥善监管（不成立） (1) Failing to properly follow up on the reports against two charitable organisations (unsubstantiated); and (2) Lack of proper control of street fund-raising activities (unsubstantiated)	不成立 Unsubstantiated	0
运输署 Transport Department			
2021/4131	(1) 无理要求投诉人出示电单车路试（丙部）排期信，否则拒绝受理其电单车学习驾驶执照申请（不成立）；以及 (2) 职员给予投诉人的回复前后不一（成立） (1) Unreasonably refusing to process the complainant's application for a motorcycle learner's driving licence unless he produced the motorcycle driving test (Part C) appointment letter (unsubstantiated); and (2) The Department's staff having given inconsistent replies to the complainant (substantiated)	部分成立 Partially substantiated	0
2021/4203C	迟迟未解决与地政总署之间就处理露天公共运输交汇处内违泊单车的权责分歧 Delay in resolving the dispute with the Lands Department on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	成立 Substantiated	1
2022/0871B	在第五波疫情期间，运输署未能与1823就处理市民的电邮作出妥善安排 Failing to make proper arrangement with 1823 regarding handling of emails from members of the public amid the fifth wave of COVID-19	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	1

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1460A	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立）	部分成立	1
	(1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	Partially substantiated	
2022/1538	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立）	部分成立	1
	(1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	Partially substantiated	

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1562	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/1603(1)	(1) 实地调查未能反映实况（不成立）； (2) 没有考虑居民巴士服务不涉公帑及不会加重当区的道路负担（不成立）； (3) 审批其他屋苑续办多条居民巴士线的准则宽松，对事涉屋苑不公（部分成立）；以及 (4) 给予投诉人的回复含糊，并无实际理据（成立） (1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	部分成立 Partially substantiated	3

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1603(2)	(1) 实地调查未能反映实况（不成立）； (2) 没有考虑居民巴士服务不涉公帑及不会加重当区的道路负担（不成立）； (3) 审批其他屋苑续办多条居民巴士线的准则宽松，对事涉屋苑不公（部分成立）；以及 (4) 给予投诉人的回复含糊，并无实际理据（成立） (1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	部分成立 Partially substantiated	3
2022/1603(3)	(1) 实地调查未能反映实况（不成立）； (2) 没有考虑居民巴士服务不涉公帑及不会加重当区的道路负担（不成立）； (3) 审批其他屋苑续办多条居民巴士线的准则宽松，对事涉屋苑不公（部分成立）；以及 (4) 给予投诉人的回复含糊，并无实际理据（成立） (1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	部分成立 Partially substantiated	3

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1603(4)	(1) 实地调查未能反映实况（不成立）； (2) 没有考虑居民巴士服务不涉公帑及不会加重当区的道路负担（不成立）； (3) 审批其他屋苑续办多条居民巴士线的准则宽松，对事涉屋苑不公（部分成立）；以及 (4) 给予投诉人的回复含糊，并无实际理据（成立） (1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	部分成立 Partially substantiated	3
2022/1769	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/1923	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2014(5)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2014(6)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2014(16)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

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个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2014(18)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2096A	(1) 无理就补发续领的车辆牌照收取额外费用（部分成立）；以及 (2) 追查邮件所费时间过长（部分成立） (1) Unreasonably charging extra fees for reissuance of a renewed vehicle licence (partially substantiated); and (2) Lengthy process of mail tracing (partially substantiated)	部分成立 Partially substantiated	0
2022/2140(8)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/2144(1)	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2256	(1) 审批居民巴士服务申请有欠划一准则，无理拒绝某屋苑的申请，却批准同区另一屋苑的申请（部分成立）； (2) 实地调查粗疏，未能反映实际交通情况（不成立）；以及 (3) 没有适当跟进居民就事涉屋苑交通提出的改善建议（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2422C	对某单车店长期霸占公众单车泊位所采取的行动／措施不足或无效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	投诉不成立，但机构另有缺失 Unsubstantiated but other inadequacies found	0

经全面调查后终结的个案索引
Index of Cases Concluded by Full Investigation

个案编号 Case No.	投诉事项 Complaint	整体结论 Overall Conclusion	建议数目 No. of Recom-mendations
2022/3162A	没有妥善跟进露宿者占用某公众码头的问题 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
2022/3637A	(1) 未有解决某公众停车场长期被闲置车辆占用的问题（不成立）；以及 (2) 拒绝采纳装设停车收费表的建议（不成立） (1) Failing to tackle the problem of prolonged occupation by dormant vehicles at a public carpark (unsubstantiated); and (2) Refusing to adopt the suggestion of installing parking meters (unsubstantiated)	不成立 Unsubstantiated	1
职业训练局 Vocational Training Council			
2022/2932	无理拒绝向申请退学的投诉人退回已缴学费 Unreasonably refusing to refund the tuition fee paid by the complainant who had applied for withdrawal of study	成立 Substantiated	2

顾问名单
List of Advisers

会计

蔡永忠先生，BBS, JP

Accountancy

Mr Tsai Wing Chung, Philip, BBS, JP

建筑、工程及测量

陈志超工程师，SBS
陈旭明测量师
熊永达博士，MH
梁广灏工程师，SBS, OBE, JP
林云峯先生，BBS, JP

Architecture, Engineering and Surveying

Ir Chan Chi Chiu, SBS
Sr Chan Yuk Ming, Raymond
Dr Hung Wing Tat, MH
Ir Leung Kwong Ho, Edmund, SBS, OBE, JP
Mr Lim Wan Fung, Bernard Vincent, BBS, JP

法律

张达明先生
罗沛然博士
Stephen Thomson博士
（任期于2022年9月30日届满）
黄文杰先生，SC, JP

Legal

Mr Cheung Tat Ming, Eric
Dr Lo Pui Yin
Dr Stephen Thomson
(Term ended on 30 September 2022)
Mr Wong Man Kit, Anson, SC, JP

医务及护理

赖锦玉教授
卢宠茂教授，BBS, JP
（任期于2022年6月30日届满）
沈秉韶医生，BBS, JP

Medical and Nursing

Professor Lai Kam Yuk, Claudia
Professor Lo Chung Mau, BBS, JP
(Term ended on 30 June 2022)
Dr Shum Ping Shiu, BBS, JP

社会工作及更生事务

陈丽云教授，JP
马丽庄教授，JP
吴宏增先生

Social Work and Rehabilitation Services

Professor Chan Lai Wan, Cecilia, JP
Professor Ma Lai Chong, Joyce, JP
Mr Ng Wang Tsang, Andy

* 姓名以英文字母顺序排列

* in alphabetical order of surname



财务报表
FINANCIAL STATEMENTS

截至2023年3月31日止年度

FOR THE YEAR ENDED 31 MARCH 2023



独立核数师报告
致申诉专员
Independent auditor's report to The Ombudsman

（根据《申诉专员条例》于香港成立）(Established in Hong Kong pursuant to The Ombudsman Ordinance)

意见

本核数师（以下简称「我们」）已审计列载于第166至191页申诉专员的财务报表，此财务报表包括于2023年3月31日的财务状况表与截至该日止年度的收支结算表、全面收益表、资金状况变动表和现金流量表，以及财务报表附注，包括主要会计政策概要。

我们认为，该等财务报表已根据香港会计师公会颁布的《香港财务报告准则》真实而中肯地反映了申诉专员于2023年3月31日的财务状况及截至该日止年度的财务表现和现金流量。

意见的基础

我们已根据香港会计师公会颁布的《香港审计准则》进行审计。我们在该等准则下承担的责任已在本报告「核数师就审计财务报表承担的责任」部分中作进一步阐述。根据香港会计师公会颁布的《专业会计师道德守则》（以下简称「守则」），我们独立于申诉专员，并已履行守则中的其他专业道德责任。我们相信，我们所获得的审计凭证能充足和适当地为我们的审计意见提供基础。

财务报表及其核数师报告以外的信息

申诉专员需对其他信息负责。其他信息包括刊载于年报内的全部信息，但不包括财务报表及我们的核数师报告。

我们对财务报表的意见并不涵盖其他信息，我们亦不对该等其他信息发表任何形式的鉴证结论。

Opinion

We have audited the financial statements of The Ombudsman set out on pages 166 to 191, which comprise the statement of financial position as at 31 March 2023, the statement of income and expenditure, the statement of comprehensive income, the statement of changes in funds and the cash flow statement for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of The Ombudsman as at 31 March 2023 and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

Basis for opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSAs") issued by the HKICPA. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of The Ombudsman in accordance with the HKICPA's *Code of Ethics for Professional Accountants* ("the Code") and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Information other than the financial statements and auditor's report thereon

The Ombudsman is responsible for the other information. The other information comprises all the information included in the annual report, other than the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

结合我们对财务报表的审计，我们的责任是阅读其他信息，在此过程中，考虑其他信息是否与财务报表或我们在审计过程中所了解的情况存在重大抵触或者似乎存在重大错误陈述的情况。

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

基于我们已执行的工作，如果我们认为其他信息存在重大错误陈述，我们需要报告该事实。在这方面，我们没有任何报告。

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

申诉专员就财务报表须承担的责任

Responsibilities of The Ombudsman for the financial statements

申诉专员须负责根据香港会计师公会颁布的《香港财务报告准则》拟备真实而中肯的财务报表，并对其认为为使财务报表的拟备不存在由于欺诈或错误而导致的重大错误陈述所需的内部控制负责。

The Ombudsman is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and for such internal control as The Ombudsman determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

在拟备财务报表时，申诉专员负责评估申诉专员持续经营的能力，并在适用情况下披露与持续经营有关的事项，以及使用持续经营为会计基础，除非申诉专员有意将申诉专员清盘或停止经营，或别无其他实际的替代方案。

In preparing the financial statements, The Ombudsman is responsible for assessing The Ombudsman's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless The Ombudsman either intend to liquidate The Ombudsman or to cease operations, or have no realistic alternative but to do so.

核数师就审计财务报表承担的责任

我们的目标，是对财务报表整体是否不存在由于欺诈或错误而导致的重大错误陈述取得合理保证，并出具包括我们意见的核数师报告。我们是按照双方同意的聘任条款，仅向申诉专员（作为整体）报告。除此以外，我们的报告不可用作其他用途。我们概不就本报告的内容，对任何其他人士负责或承担法律责任。

合理保证是高水平的保证，但不能保证按照《香港审计准则》进行的审计，在某一重大错误陈述存在时总能发现。错误陈述可以由欺诈或错误引起，如果合理预期它们单独或汇总起来可能影响财务报表使用者依赖财务报表所作出的经济决定，则有关的错误陈述可被视作重大。

在根据《香港审计准则》进行审计的过程中，我们运用了专业判断，保持了专业怀疑态度。我们亦：

– 识别和评估由于欺诈或错误而导致财务报表存在重大错误陈述的风险，设计及执行审计程序以应对这些风险，以及获取充足和适当的审计凭证，作为我们意见的基础。由于欺诈可能涉及串谋、伪造、蓄意遗漏、虚假陈述，或凌驾于内部控制之上，因此未能发现因欺诈而导致的重大错误陈述的风险高于未能发现因错误而导致的重大错误陈述的风险。

– 了解与审计相关的内部控制，以设计适当的审计程序，但目的并非对申诉专员内部控制的有效性发表意见。

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. This report is made solely to you, as a body, in accordance with our agreed terms of engagement, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with HKSAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

– Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

– Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of The Ombudsman's internal control.

核数师就审计财务报表承担的责任（续）

– 评价申诉专员所采用会计政策的恰当性及作出会计估计和相关披露的合理性。

– 对申诉专员采用持续经营会计基础的恰当性作出结论。根据所获取的审计凭证，确定是否存在与事项或情况有关的重大不确定性，从而可能导致对申诉专员的持续经营能力产生重大疑虑。如果我们认为存在重大不确定性，则有必要在核数师报告中提请使用者注意财务报表中的相关披露。假若有关的披露不足，则我们应当发表非无保留意见。我们的结论是基于截至核数师报告日止所取得的审计凭证。然而，未来事项或情况可能导致申诉专员不能持续经营。

– 评价财务报表的整体列报方式、结构和内容，包括披露，以及财务报表是否中肯反映交易和事项。

除其他事项外，我们与申诉专员沟通了计划的审计范围、时间安排、重大审计发现等，包括我们在审计中识别出内部控制的任何重大缺陷。

毕马威会计师事务所
执业会计师

香港中环
遮打道10号
太子大厦8楼

2023年5月19日

Auditor's responsibilities for the audit of the financial statements (continued)

– Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by The Ombudsman.

– Conclude on the appropriateness of The Ombudsman's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on The Ombudsman's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause The Ombudsman to cease to continue as a going concern.

– Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with The Ombudsman regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

KPMG
Certified Public Accountants

8th Floor, Prince's Building
10 Chater Road
Central, Hong Kong

19 May 2023

收支结算表 截至2023年3月31日止年度

Statement of income and expenditure for the year ended 31 March 2023

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

		附注 Note	2023	2022
收入	**Income**			
政府资助金	Government subventions	3	**$ 129,838,628**	$ 128,035,000
递延政府资助金之摊销	Amortisation of deferred Government subventions	3	**1,814,220**	1,814,220
银行存款之利息收入	Interest income on bank deposits		**11,190,787**	2,682,607
其他收入	Other income		**3,735**	3,852
			$ 142,847,370	$ 132,535,679
支出	**Expenditure**			
营运开支	Operating expenses	4	**(137,515,036)**	(130,972,378)
年度盈余	**Surplus for the year**		**$ 5,332,334**	$ 1,563,301

全面收益表

截至2023年3月31日止年度

申诉专员在所列报的两个年度期内，除「年度盈余」外并无其他全面收益帐项。由于申诉专员的「全面收益总额」在两个年度期内均与「盈余」相同，因此，本财务报表没有另行编制全面收益表。

Statement of comprehensive income

for the year ended 31 March 2023

The Ombudsman had no components of comprehensive income other than "surplus for the year" in either of the years presented. Accordingly, no separate statement of comprehensive income is presented as The Ombudsman's "total comprehensive income" was the same as the "surplus" in both years.

第172至191页之附注为本财务报表的整体部分。

The notes on pages 172 to 191 form part of these financial statements.

财务状况表 于2023年3月31日
Statement of financial position as at 31 March 2023

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

		附注 Note	2023	2022
资产	**ASSETS**			
非流动资产	**Non-current asset**			
物业、机器及设备	Property, plant and equipment	7	**$ 68,151,261**	$ 60,484,689
流动资产	**Current assets**			
按金及预付款项	Deposits and prepayments		**$ 4,234,119**	$ 9,266,931
应收利息	Interest receivable		**2,251,320**	450,902
原定三个月以上到期之定期存款	Time deposits with original maturity over three months		**213,080,000**	372,312,000
现金及现金等价物	Cash and cash equivalents	8	**179,946,924**	22,170,700
			$ 399,512,363	$ 404,200,533
资产总额	**Total assets**		**$ 467,663,624**	$ 464,685,222
负债	**LIABILITIES**			
非流动负债	**Non-current liabilities**			
应付约满酬金－非流动部分	Contract gratuity payable – non-current	9	**$ 8,045,013**	$ 5,704,107
递延政府资助金－非流动部分	Deferred Government subventions – non-current	3	**51,643,558**	53,457,778
			$ 59,688,571	$ 59,161,885
流动负债	**Current liabilities**			
其他应付款项及应计费用	Other payables and accruals		**$ 6,141,710**	$ 5,928,327
应付约满酬金－流动部分	Contract gratuity payable – current	9	**5,902,956**	8,996,957
递延政府资助金－流动部分	Deferred Government subventions – current	3	**1,814,220**	1,814,220
			$ 13,858,886	$ 16,739,504
负债总额	**Total liabilities**		**$ 73,547,457**	$ 75,901,389

财务状况表（续）
于2023年3月31日
Statement of financial position as at 31 March 2023 (continued)

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

		附注 Note	2023	2022
资金	**FUNDS**			
累计资金	Accumulated funds		**$ 394,116,167**	$ 388,783,833
资金总额	**Total funds**		**$ 394,116,167**	$ 388,783,833
资金及负债总额	**Total funds and liabilities**		**$ 467,663,624**	$ 464,685,222

申诉专员已于2023年5月19日批准及授权刊发。

Approved and authorised for issue by The Ombudsman on 19 May 2023.

赵慧贤女士
申诉专员

Ms Winnie Chiu
The Ombudsman

第172至191页之附注为本财务报表的整体部分。

The notes on pages 172 to 191 form part of these financial statements.

资金状况变动表 截至2023年3月31日止年度
Statement of changes in funds for the year ended 31 March 2023

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

		累计资金 Accumulated funds
于2021年3月31日及2021年4月1日之结余	**Balance at 31 March 2021 and 1 April 2021**	$ 387,220,532
2021/2022年度资金状况变动：	**Change in funds for 2021/2022:**	
年度盈余及全面收益总额	Surplus and total comprehensive income for the year	1,563,301
于2022年3月31日及2022年4月1日之结余	**Balance at 31 March 2022 and 1 April 2022**	**$ 388,783,833**
2022/2023年度资金状况变动：	**Change in funds for 2022/2023:**	
年度盈余及全面收益总额	Surplus and total comprehensive income for the year	**5,332,334**
于2023年3月31日之结余	**Balance at 31 March 2023**	**$ 394,116,167**

第172至191页之附注为本财务报表的整体部分。 The notes on pages 172 to 191 form part of these financial statements.

现金流量表 截至2023年3月31日止年度

Cash flow statement for the year ended 31 March 2023

(所有数额均以港元为单位)(Expressed in Hong Kong dollars)

		附注 Note	2023	2022
营运活动	**Operating activities**			
年度盈余	Surplus for the year		**$ 5,332,334**	$ 1,563,301
调整:	Adjustments for:			
利息收入	Interest income		**(11,190,787)**	(2,682,607)
折旧	Depreciation	4	**3,881,837**	3,477,211
递延政府资助金之摊销	Amortisation of deferred Government subventions		**(1,814,220)**	(1,814,220)
处置物业、机器及设备之损失	Loss on disposal of property, plant and equipment	4	**651,015**	379
营运资金变动前之营运(亏损)/盈余	**Operating (deficit)/surplus before changes in working capital**		**$ (3,139,821)**	$ 544,064
按金及预付款项减少/(增加)	Decrease/(increase) in deposits and prepayments		**5,032,812**	(6,223,978)
其他应付款项及应计费用增加	Increase in other payables and accruals		**213,383**	55,524
应付约满酬金减少	Decrease in contract gratuity payable		**(753,095)**	(1,208,494)
营运活动产生/(运用)之现金净额	**Net cash generated from/(used in) operating activities**		**$ 1,353,279**	$ (6,832,884)
投资活动	**Investing activities**			
收取利息	Interest received		**$ 9,390,369**	$ 4,767,708
购置物业、机器及设备所付款项	Payments for purchase of property, plant and equipment		**(12,199,424)**	(1,110,095)
原定三个月以上到期之定期存款变动净额	Net changes of time deposits with original maturity over three months		**159,232,000**	10,121,000
出售物业、机器及设备所得款项	Proceeds from sale of property, plant and equipment		**–**	1,100
投资活动产生之现金净额	**Net cash generated from investing activities**		**$ 156,422,945**	$ 13,779,713

现金流量表（续）
截至2023年3月31日止年度
Cash flow statement for the year ended 31 March 2023 (continued)

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

		附注 Note	2023	2022
现金及现金等价物净增加	**Net increase in cash and cash equivalents**		**$ 157,776,224**	$ 6,946,829
年初之现金及现金等价物	**Cash and cash equivalents at beginning of the year**	8	**22,170,700**	15,223,871
年末之现金及现金等价物	**Cash and cash equivalents at end of the year**	8	**$ 179,946,924**	$ 22,170,700

第172至191页之附注为本财务报表的整体部分。

The notes on pages 172 to 191 form part of these financial statements.

财务报表附注
Notes to the financial statements

（所有数额均以港元为单位）(Expressed in Hong Kong dollars)

1 申诉专员的概况

申诉专员于2001年12月19日根据法例成立为单一法团，其职能于《申诉专员条例》中订明。

申诉专员公署的注册办事处地址为香港干诺道中168–200号信德中心招商局大厦30楼。

1 Status of The Ombudsman

The Ombudsman was established as a corporation by statute on 19 December 2001. The functions of The Ombudsman are prescribed by The Ombudsman Ordinance.

The address of its registered office is 30/F, China Merchants Tower, Shun Tak Centre, 168–200 Connaught Road Central, Hong Kong.

2 主要会计政策

(a) 遵例声明及会计政策变动

本财务报表乃根据香港会计师公会颁布适用的《香港财务报告准则》（此统称包括适用的个别《香港财务报告准则》、《香港会计准则》及诠释），以及香港公认会计原则而编制。申诉专员采纳的主要会计政策列述如下。

香港会计师公会已颁布若干《香港财务报告准则》之修订，并在申诉专员当前的会计年度首次生效或可提早采纳。申诉专员没有应用任何在当前的会计年度尚未生效的新准则或诠释（附注15）。

(b) 财务报表编制基准

本财务报表以历史成本作为计量基准而编制。

2 Significant accounting policies

(a) Statement of compliance and changes in accounting policies

These financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards (“HKFRSs”), which collective term includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards (“HKASs”) and Interpretations issued by the Hong Kong Institute of Certified Public Accountants (“HKICPA”) and accounting principles generally accepted in Hong Kong. Significant accounting policies adopted by The Ombudsman are disclosed below.

The HKICPA has issued certain amendments to HKFRSs that are first effective or available for early adoption for the current accounting period of The Ombudsman. The Ombudsman has not applied any new standard or interpretation that is not yet effective for the current accounting period (note 15).

(b) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is the historical cost basis.

2 主要会计政策（续）

(b) 财务报表编制基准（续）

在编制符合《香港财务报告准则》的财务报表时，管理层需要作出影响会计政策的应用及资产、负债、收入和支出的呈报数额的判断、估计和假设。这些估计和相关假设是根据过往经验及管理层因应当时情况下乃属合理的各项其他因素为基础而作出，所得结果乃构成管理层就目前未能从其他资料来源即时得知资产及负债帐面值时所作出判断的基础。实际的结果可能与这些估计有差异。

管理层会不断检讨各项估计及相关假设。假如会计估计的修订只影响某一期间，则该修订会在该期间内确认入帐，或假如会计估计的修订同时影响当前及未来期间，则该修订会在修订期间及未来期间内确认入帐。

(c) 物业、机器及设备

物业、机器及设备是以成本减去累计折旧及减值亏损后列帐。

2 Significant accounting policies (continued)

(b) Basis of preparation of the financial statements (continued)

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

(c) Property, plant and equipment

Property, plant and equipment are stated at cost less accumulated depreciation and impairment losses.

2 主要会计政策（续）

2 Significant accounting policies (continued)

(c) 物业、机器及设备（续）

(c) Property, plant and equipment (continued)

折旧是在扣减物业、机器及设备的预计剩余价值（如有的话）后，按预计可使用年期以直线法冲销其成本，计算方法如下：

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, if any, using the straight line method over their estimated useful lives as follows:

– 持有作自用的租赁土地权益 Interest in leasehold land held for own use	按租赁的剩余租期 Over unexpired term of lease
– 建筑物 Building	40年 40 years
– 租赁物业装修 Leasehold improvements	10年 10 years
– 办公室家具 Office furniture	5年 5 years
– 办公室设备 Office equipment	5年 5 years
– 电脑设备 Computer equipment	4年 4 years
– 车辆 Motor vehicles	5年 5 years

资产的可使用年期及其剩余价值（如有的话）会每年检讨。

Both the useful life of an asset and its residual value, if any, are reviewed annually.

2 主要会计政策（续）

(c) 物业、机器及设备（续）

管理层会在每个报告年度结束时检讨物业、机器及设备的帐面金额有否出现减值迹象。当资产或所属的现金产生单位的帐面金额高于可收回数额时，便会在收支结算表内确认减值亏损。资产或所属的现金产生单位的可收回数额，是以公平价值减处置费用及使用值两者中较高者计算。在评估使用值时，估计未来现金流量会按除税前贴现率折让至现值，而该贴现率应足以反映市场当时所评估的货币时间价值与有关资产的独有风险。假如用以厘定可收回数额的估计基准出现正面的变化，有关的减值亏损便会拨回。

处置或出售任何物业、机器及设备所产生的损益，以出售所得净额与资产的帐面金额之间的差额厘定，并按处置或出售日期在收支结算表内确认入帐。

(d) 应收款项

应收款项于申诉专员拥有无条件权利可收取代价时予以确认。倘若代价只是随时间推移即会成为到期应付，则收取代价的权利即为无条件。倘若收入于申诉专员拥有无条件权利可收取代价之前已确认，有关金额会作为合约资产列报。

2 Significant accounting policies (continued)

(c) Property, plant and equipment (continued)

The carrying amounts of property, plant and equipment are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in the statement of income and expenditure if the carrying amount of an asset, or the cash-generating unit to which it belongs, exceeds its recoverable amount. The recoverable amount of an asset, or of the cash-generating unit to which it belongs, is the greater of its fair value less costs of disposal and value in use. In assessing value in use, the estimated future cash flows are discounted to their present values using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the assets. An impairment loss is reversed if there has been a favourable change in the estimates used to determine the recoverable amount.

Gains or losses arising from the retirement or disposal of an item of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the item and are recognised in the statement of income and expenditure on the date of retirement or disposal.

(d) Receivables

A receivable is recognised when The Ombudsman has an unconditional right to receive consideration. A right to receive consideration is unconditional if only the passage of time is required before payment of that consideration is due. If income has been recognised before The Ombudsman has an unconditional right to receive consideration, the amount is presented as a contract asset.

2 主要会计政策（续）

(d) 应收款项（续）

应收款项其后采用实际利率方法按摊销成本并包括以下述方式厘定的信贷亏损拨备列帐：

亏损拨备按等同于整个有效期的预期信贷亏损的金额计量，该等信贷亏损预期在应收款项的整个有效期间出现。就所有金融工具而言（包括存款及应收利息），申诉专员确认相等于12个月预期信贷亏损的拨备，除非金融工具信贷风险自初始确认后大幅增加。在此情况下，亏损拨备乃按相等于整个有效期的预期信贷亏损的金额计量。

预期信贷亏损于各报告日期进行重新计量，任何变动均于损益中确认为减值收益或亏损。申诉专员通过亏损拨备帐中应收款项帐面金额所作的相应调整确认减值收益或亏损。

倘若实际上并无收回的可能，应收款项的帐面金额会予冲销（部分或全部）。这情况通常出现在申诉专员确定债务人没有资产或收入来源可产生足够现金流量以偿还冲销的金额。

2 Significant accounting policies (continued)

(d) Receivables (continued)

Receivables are subsequently stated at amortised cost using the effective interest method and including allowance for credit losses as determined below:

The loss allowance is measured at an amount equal to lifetime expected credit losses ("ECLs"), which are those losses that are expected to occur over the expected life of the receivables. For all financial instruments (including deposits and interest receivable), The Ombudsman recognises a loss allowance equal to 12-month ECLs unless these has been a significant increase in credit risk of the financial instrument since initial recognition, in which case the loss allowance is measured at an amount equal to lifetime ECLs.

ECLs are remeasured at each reporting date with any changes recognised as an impairment gain or loss in profit or loss. The Ombudsman recognises an impairment gain or loss with a corresponding adjustment to the carrying amount of receivables through a loss allowance account.

The gross carrying amount of receivable is written off (either partially or in full) to the extent that there is no realistic prospect of recovery. This is generally the case when The Ombudsman determines that the debtor does not have assets or sources of income that could generate sufficient cash flows to repay the amounts subject to the write-off.

2 主要会计政策（续）

(e) 应付款项

应付款项按公平价值初始确认。初始确认后，应付款项按摊销成本列帐。假如贴现影响并不重大，则会按发票额列帐。

(f) 现金及现金等价物

现金及现金等价物包括银行存款及库存现金、存放于银行和其他金融机构的活期存款，以及短期和高流动性的投资。这些投资一般在购入后三个月内到期，可以随时换算为已知的现金额，而且价值变动方面的风险不大。现金及现金等价物的预期信贷亏损按照附注2(d)所列的政策评估。

(g) 雇员福利

薪金、约满酬金、有薪年假、度假旅费及申诉专员提供的非金钱性雇员福利的成本，均在雇员提供相关服务的年度内累积计算。倘若延期支付或清缴款项而影响可属重大，则有关金额会按现值列帐。

2 Significant accounting policies (continued)

(e) Payables

Payables are initially recognised at fair value. Subsequent to initial recognition, payables are stated at amortised cost unless the effect of discounting would be immaterial, in which case they are stated at invoice amounts.

(f) Cash and cash equivalents

Cash and cash equivalents comprise cash at bank and on hand, demand deposits with banks and other financial institutions, and short-term, highly liquid investments that are readily convertible into known amounts of cash and which are subject to an insignificant risk of changes in value, having been within three months of maturity at acquisition. Cash and cash equivalents are assessed for ECLs in accordance with policy as set out in note 2(d).

(g) Employee benefits

Salaries, gratuities, paid annual leave, leave passage and the cost to The Ombudsman of non-monetary employee benefits are accrued in the year in which the associated services are rendered by employees of The Ombudsman. Where payment or settlement is deferred and the effect would be material, these amounts are stated at their present values.

2 主要会计政策（续）

(h) 准备金及或有负债

申诉专员假如须就已发生的事情承担法律或推定义务，而履行该义务预期可能导致含有经济效益的资源外流，并且可作可靠的估计，便会提拨准备。假如货币时间价值重大，则准备金会按预计履行义务所需资源的现值列帐。

假如含有经济效益的资源外流的可能性较低，或是无法对有关数额作出可靠的估计，该义务便会披露为或有负债，但如果资源外流的可能性极低则除外。须视乎未来会否发生某项或某些事情才能确定存在与否的义务，亦会披露为或有负债，但如果资源外流的可能性极低则除外。

假如清缴准备金所需的部分或全部开支预期将由另一方偿付，则会就任何几乎肯定的预期偿付款项确认一项独立资产。就偿付款项确认的金额不得高于准备金的帐面金额。

2 Significant accounting policies (continued)

(h) Provisions and contingent liabilities

Provisions are recognised when The Ombudsman has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

Where some or all of the expenditure required to settle a provision is expected to be reimbursed by another party, a separate asset is recognised for any expected reimbursement that would be virtually certain. The amount recognised for the reimbursement is limited to the carrying amount of the provision.

2 主要会计政策（续）

(i) 收入确认

(i) 政府资助金

一笔无条件限制的政府资助金于可收取时会在收支结算表内确认为收入。其他的政府资助金于有理由确信将会收取，而申诉专员亦将会符合各项附带条件时，便会初始在财务状况表确认入帐。补偿申诉专员开支的资助金，会在开支产生的期间有系统地同时在收支结算表内确认为收入。补偿申诉专员资产成本的资助金，会列作递延政府资助金记入财务状况表，并按照附注2(c)所列的折旧政策的基准，按相关资产的租赁年期或可使用年期在收支结算表内确认入帐。

(ii) 利息收入

利息收入于产生时按实际利率方法确认入帐。

2 Significant accounting policies (continued)

(i) Income recognition

(i) Government subventions

An unconditional Government subvention is recognised as income in the statement of income and expenditure when the grant becomes receivable. Other Government subventions are recognised in the statement of financial position initially when there is reasonable assurance that they will be received and that The Ombudsman will comply with the conditions attaching to them. Subventions that compensate The Ombudsman for expenses incurred are recognised as income in the statement of income and expenditure on a systematic basis in the same periods in which the expenses are incurred. Subventions that compensate The Ombudsman for the cost of an asset are included in the statement of financial position as deferred Government subventions and recognised in the statement of income and expenditure over the period of the lease term or useful live of the related asset on a basis consistent with the depreciation policy as set out in note 2(c).

(ii) Interest income

Interest income is recognised as it accrues using the effective interest method.

2 主要会计政策（续）

(j) 关联人士

(a) 任何人士或其直系亲属与申诉专员相关联，假如该人士或其直系亲属：

(i) 可控制或共同控制申诉专员；

(ii) 对申诉专员有重大影响力；或

(iii) 是申诉专员的主要管理层成员。

(b) 假如下述任何情况适用，则某实体与申诉专员相关联：

(i) 该实体与申诉专员是同一集团的成员（即每一主体、附属机构及同集团附属机构相互有关联）。

(ii) 某一实体是另一实体的联属机构或联办机构（或另一实体所属集团成员的联属机构或联办机构）。

(iii) 两个实体都是相同第三方的联办机构。

2 Significant accounting policies (continued)

(j) Related parties

(a) A person, or a close member of that person's family, is related to The Ombudsman if that person:

(i) has control or joint control over The Ombudsman;

(ii) has significant influence over The Ombudsman; or

(iii) is a member of the key management personnel of The Ombudsman.

(b) An entity is related to The Ombudsman if any of the following conditions applies:

(i) The entity and The Ombudsman are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).

(ii) One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).

(iii) Both entities are joint ventures of the same third party.

2 主要会计政策（续）

(j) 关联人士（续）

(b) 假如下述任何情况适用，则某实体与申诉专员相关联：(续)

(iv) 某一实体是第三方的联办机构，而另一实体是第三方的联属机构。

(v) 该实体是为申诉专员或申诉专员关联实体的雇员而设的聘用期结束后福利计划。

(vi) 该实体受附注2(j)(a)所述的人士所控制或共同控制。

(vii) 附注2(j)(a)(i)所述的人士对该实体有重大影响或是该实体（或其主体）的主要管理层成员。

(viii) 该实体或其所属集团内任何人士向申诉专员提供主要管理层成员的服务。

一位人士的直系亲属，概指在该人士与实体交易的过程中，可能影响该人士或受该人士影响的家庭成员。

2 Significant accounting policies (continued)

(j) Related parties (continued)

(b) An entity is related to The Ombudsman if any of the following conditions applies: (continued)

(iv) One entity is a joint venture of a third entity and the other entity is an associate of the third entity.

(v) The entity is a post-employment benefit plan for the benefit of employees of either The Ombudsman or an entity related to The Ombudsman.

(vi) The entity is controlled or jointly controlled by a person identified in note 2(j)(a).

(vii) A person identified in note 2(j)(a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

(viii) The entity, or any member of a group of which it is a part, provides key management personnel services to The Ombudsman.

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity.

3 政府资助金及递延政府资助金

政府资助金是供申诉专员应付日常营运开支的政府拨款。

递延政府资助金是作为预付租赁费用及购置建筑物之用的政府拨款。递延政府资助金之摊销，是按预付租赁费用持有作自用的批租土地权益的租约期（54年）及建筑物的可使用年期（40年），按照附注2(c)及2(i)(i)载列的会计政策以直线法计算确认入帐。

于2023年3月31日计算，预计递延政府资助金之摊销如下：

3 Government subventions and deferred Government subventions

Government subventions represent the funds granted by the Government for daily operations of The Ombudsman.

Deferred Government subventions represent the funds granted by the Government for prepaid lease payments and the purchase of building. Amortisation of deferred Government subventions is recognised on a straight line basis over the period of the lease term of 54 years of interest in leasehold land held for own use for prepaid lease payments and the useful life of 40 years of building in accordance with the accounting policies set out in notes 2(c) and 2(i)(i).

At 31 March 2023, the deferred Government subventions are expected to be amortised as follows:

		2023	2022
一年内并包括在流动负债之内	Within one year and included in current liabilities	**$ 1,814,220**	$ 1,814,220
一年后并包括在非流动负债之内	After one year and included in non-current liabilities	**51,643,558**	53,457,778
		$ 53,457,778	$ 55,271,998

4 营运开支 4 Operating expenses

		2023	2022
雇员福利开支（附注5）	Employee benefit expenses (note 5)	**$ 123,116,728**	$ 118,118,700
物业、机器及设备折旧（附注7）	Depreciation of property, plant and equipment (note 7)	**3,881,837**	3,477,211
差饷及管理费	Rates and management fee	**3,614,051**	3,811,819
短期租赁相关开支	Expense relating to short-term leases	**100,800**	100,800
核数师酬金	Auditor's remuneration	**105,000**	98,000
处置物业、机器及设备之损失	Loss on disposal of property, plant and equipment	**651,015**	379
其他开支	Other expenses	**6,045,605**	5,365,469
		$ 137,515,036	$ 130,972,378

5 雇员福利开支 5 Employee benefit expenses

		2023	2022
薪金及津贴	Salaries and allowances	**$105,615,719**	$101,186,857
约满酬金	Contract gratuity	**10,976,503**	10,684,893
退休保障费用 – 强制性公积金计划（「强积金计划」）（注）	Pension costs – Mandatory Provident Fund Scheme ("the MPF scheme") (Note)	**3,005,428**	2,909,312
未放取之年假	Unutilised annual leave	**(311,575)**	132,211
其他雇员福利开支	Other employee benefit expenses	**3,830,653**	3,205,427
		$123,116,728	$118,118,700

注：申诉专员根据香港《强制性公积金计划条例》经办强积金计划，为在香港《雇佣条例》规管下雇用而未有界定利益退休计划保障的雇员而设。强积金计划是由独立受托人管理的界定供款退休计划。根据强积金计划，雇主及雇员各自须按雇员有关入息的5%向计划供款，每月有关入息以30,000元为上限。向计划作出的供款即时归属雇员，申诉专员并无已没收供款可用于扣减现行水平的供款。

Note: The Ombudsman operates the MPF scheme under the Hong Kong Mandatory Provident Fund Schemes Ordinance for employees employed under the jurisdiction of the Hong Kong Employment Ordinance and not previously covered by the defined benefit retirement plan. The MPF scheme is a defined contribution retirement plan administered by independent trustees. Under the MPF scheme, the employer and its employees are each required to make contributions to the plan at 5% of the employees' relevant income, subject to a cap of monthly relevant income of HK$30,000. Contributions to the plan vest immediately, there is no forfeited contributions that may be used by The Ombudsman to reduce the existing level of contribution.

6 主要管理层薪酬 6 Key management compensation

		2023	2022
短期雇员福利	Short-term employee benefits	**$15,872,221**	$15,420,732
聘用期结束后福利	Post-employment benefits	**1,922,529**	1,876,296
		$17,794,750	$17,297,028

7 物业、机器及设备 7 Property, plant and equipment

		持有作自用的租赁土地权益 Interest in leasehold land held for own use	建筑物 Building	租赁物业装修 Leasehold improvements	办公室家具 Office furniture	办公室设备 Office equipment	电脑设备 Computer equipment	车辆 Motor vehicles	总计 Total
成本：	**Cost:**								
于2022年4月1日	At 1 April 2022	$74,900,000	$16,800,000	$17,119,036	$888,536	$1,974,997	$9,740,533	$994,880	$122,417,982
增添	Additions	-	-	10,480,684	31,586	61,345	1,625,809	-	12,199,424
处置	Disposals	-	-	(834,106)	(18,215)	(358,623)	(512,063)	-	(1,723,007)
于2023年3月31日	At 31 March 2023	$74,900,000	$16,800,000	$26,765,614	$901,907	$1,677,719	$10,854,279	$994,880	$132,894,399
累计折旧：	**Accumulated depreciation:**								
于2022年4月1日	At 1 April 2022	$28,005,564	$8,422,438	$15,665,010	$756,017	$1,672,508	$6,606,334	$805,422	$61,933,293
年内支出	Charge for the year	1,394,220	420,000	567,801	52,966	120,544	1,266,330	59,976	3,881,837
处置后拨回	Written back on disposals	-	-	(195,059)	(18,215)	(347,724)	(510,994)	-	(1,071,992)
于2023年3月31日	At 31 March 2023	$29,399,784	$8,842,438	$16,037,752	$790,768	$1,445,328	$7,361,670	$865,398	$64,743,138
帐面净值：	**Net book value:**								
于2023年3月31日	At 31 March 2023	$45,500,216	$7,957,562	$10,727,862	$111,139	$232,391	$3,492,609	$129,482	$68,151,261

7 物业、机器及设备（续）

7 Property, plant and equipment (continued)

		持有作自用的租赁土地权益 Interest in leasehold land held for own use	建筑物 Building	租赁物业装修 Leasehold improvements	办公室家具 Office furniture	办公室设备 Office equipment	电脑设备 Computer equipment	车辆 Motor vehicles	总计 Total
成本：	**Cost:**								
于2021年4月1日	At 1 April 2021	$74,900,000	$16,800,000	$16,990,386	$884,694	$1,913,959	$9,768,886	$994,880	$122,252,805
增添	Additions	–	–	128,850	68,644	112,059	800,542	–	1,110,095
处置	Disposals	–	–	(200)	(64,802)	(51,021)	(828,895)	–	(944,918)
于2022年3月31日	At 31 March 2022	$74,900,000	$16,800,000	$17,119,036	$888,536	$1,974,997	$9,740,533	$994,880	$122,417,982
累计折旧：	**Accumulated depreciation:**								
于2021年4月1日	At 1 April 2021	$26,611,344	$8,002,438	$15,316,653	$768,953	$1,591,344	$6,363,343	$745,446	$59,399,521
年内支出	Charge for the year	1,394,220	420,000	348,557	51,866	131,085	1,071,507	59,976	3,477,211
处置后拨回	Written back on disposals	–	–	(200)	(64,802)	(49,921)	(828,516)	–	(943,439)
于2022年3月31日	At 31 March 2022	$28,005,564	$8,422,438	$15,665,010	$756,017	$1,672,508	$6,606,334	$805,422	$61,933,293
帐面净值：	**Net book value:**								
于2022年3月31日	At 31 March 2022	$46,894,436	$8,377,562	$1,454,026	$132,519	$302,489	$3,134,199	$189,458	$60,484,689

申诉专员以长期租赁方式持有租赁土地权益。

The Ombudsman's interest in leasehold land is held under long lease.

8 现金及现金等价物

8 Cash and cash equivalents

		2023	2022
银行现金	Cash at bank	**$ 179,941,924**	$ 22,165,700
库存现金	Cash in hand	**5,000**	5,000
		$ 179,946,924	$ 22,170,700

9 应付约满酬金

有关数额是在雇佣合约届满时须支付给雇员的约满酬金。金额为雇员基本薪金的10%至25%（2022年：10%至25%）不等，但扣除雇主的强积金供款。

9 Contract gratuity payable

The amount represents the gratuity payable to staff on expiry of their employment contracts. The amount of gratuity ranges from 10% to 25% (2022: 10% to 25%) of the basic salary less employer's contributions to MPF.

10 税项

根据《申诉专员条例》附表1A第5(1)条，申诉专员获豁免缴付根据《税务条例》征收的税项。

10 Taxation

The Ombudsman is exempt from taxation in respect of the Inland Revenue Ordinance in accordance with Schedule 1A Section 5(1) of The Ombudsman Ordinance.

11 承担

于2023年3月31日计算，按照停车位不可撤销之营运租赁合约应缴付的最低租赁付款总额如下：

11 Commitments

At 31 March 2023, the total future aggregate minimum lease payments under non-cancellable operating leases in respect of parking spaces are payable as follows:

		2023	2022
于一年内缴付	Within 1 year	**$ 8,400**	$ 8,400

除非在最少一个历月前以书面通知退租，否则租约仍然有效。

The lease remain in force unless terminated by giving notice in writing of not less than one calendar month.

12 累计资金管理

申诉专员在管理其累计资金时，基本目的是确保申诉专员的财政持续稳健。申诉专员无须承担外部施加的对累计资金的要求。

12 Management of accumulated funds

The Ombudsman's primary objective when managing its accumulated funds is to safeguard The Ombudsman's ability to continue as a going concern. The Ombudsman is not subject to externally imposed requirements relating to its accumulated funds.

13 金融风险管理及金融工具的公平价值

风险管理由总务及财务组按照申诉专员核准的政策执行。总务及财务组与各营运单位紧密合作，鉴别和评估财务风险。申诉专员所涉及的信贷风险、资金周转风险、利率风险及货币风险如下：

(a) 信贷风险

信贷风险指因交易对手不履行合约义务而对申诉专员造成财务损失的风险。申诉专员的信贷风险主要源自定期存款和现金及现金等价物。申诉专员已订定信贷政策，并持续监察这方面涉及的信贷风险。

现金存放于信贷评级稳健的金融机构，以尽量减低信贷风险。

信贷风险额上限为财务状况表内各项金融资产的帐面金额。申诉专员并无提供任何会使其涉及信贷风险的担保。

(b) 资金周转风险

申诉专员的政策是定期监察现时及预计的资金周转需要，以确保维持足够现金储备应付短期及较长期的资金周转需要。

13 Financial risk management and fair values of financial instruments

Risk management is carried out by the General and Finance Section under policies approved by The Ombudsman. The General and Finance Section identifies and evaluates financial risks in close co-operation with the operating units. The Ombudsman's exposure to credit, liquidity, interest rate and currency risks are described below:

(a) Credit risk

Credit risk refers to the risk that a counter party will default on its contractual obligations resulting in a financial loss to The Ombudsman. The Ombudsman's credit risk is primarily attributable to time deposits and cash and cash equivalents. The Ombudsman has a credit policy in place and the exposure to this credit risk is monitored on an ongoing basis.

Cash is deposited with financial institutions with sound credit ratings to minimise credit exposure.

The maximum exposure to credit risk is represented by the carrying amount of each financial asset in the statement of financial position. The Ombudsman does not provide any guarantees which would expose The Ombudsman to credit risk.

(b) Liquidity risk

The Ombudsman's policy is to regularly monitor its current and expected liquidity requirements and to ensure that it maintains sufficient reserves of cash to meet its liquidity requirements in the short and longer term.

13 金融风险管理及金融工具的公平价值（续）

13 Financial risk management and fair values of financial instruments (continued)

(b) 资金周转风险（续）

下表列载申诉专员的财务负债在报告年度结束时之剩余合约年期，乃根据未贴现合约现金流及申诉专员可能被要求付款之最早日期编制：

(b) Liquidity risk (continued)

The following table shows the remaining contractual maturities at the end of the reporting period of The Ombudsman's financial liabilities, which are based on contractual undiscounted cash flows and the earliest date The Ombudsman can be required to pay:

	2023				
	未贴现合约现金外流 Contractual undiscounted cash outflow				
	一年以下或即时到期 Within 1 year or on demand	**一年以上但两年以下 More than 1 year but less than 2 years**	**两年以上但五年以下 More than 2 years but less than 5 years**	**未贴现合约现金流总计 Total contractual undiscounted cash flows**	**帐面金额 Carrying amount**
应付约满酬金 Contract gratuity payable	**$ 5,902,956**	**$ 5,158,266**	**$ 2,886,747**	**$ 13,947,969**	**$ 13,947,969**
其他应付款项及应计费用 Other payables and accruals	**6,141,710**	**–**	**–**	**6,141,710**	**6,141,710**
	$ 12,044,666	**$ 5,158,266**	**$ 2,886,747**	**$ 20,089,679**	**$ 20,089,679**

	2022				
	未贴现合约现金外流 Contractual undiscounted cash outflow				
	一年以下或即时到期 Within 1 year or on demand	一年以上但两年以下 More than 1 year but less than 2 years	两年以上但五年以下 More than 2 years but less than 5 years	未贴现合约现金流总计 Total contractual undiscounted cash flows	帐面金额 Carrying amount
应付约满酬金 Contract gratuity payable	$ 8,996,957	$ 3,525,234	$ 2,178,873	$ 14,701,064	$ 14,701,064
其他应付款项及应计费用 Other payables and accruals	5,928,327	–	–	5,928,327	5,928,327
	$ 14,925,284	$ 3,525,234	$ 2,178,873	$ 20,629,391	$ 20,629,391

13 金融风险管理及金融工具的公平价值（续）

13 Financial risk management and fair values of financial instruments (continued)

(c) 利率风险

利率风险指金融工具的价值因市场利率调整而浮动的风险。申诉专员所涉及的利率风险只有按市场利率计息的银行结余。

敏感度分析

估计假如利率整体上升／下跌100个（2022年：100个）基点，而其他变数均维持不变，则申诉专员的盈余及累积资金于2023年3月31日便会增加约183,000元（2022年：222,000元）。

以上的敏感度分析，是假定利率变动在报告年度结束当日已出现，并已应用到同日可能导致申诉专员涉及利率风险的金融工具内。100个基点的升跌，是管理层评估该年度结束当日至下一报告年度之内可能出现的合理利率变动而得出的。有关分析所依据的基准与2022年相同。

(c) Interest rate risk

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates. The Ombudsman's only exposure to interest rate risk is via its bank balances which bear interest at market rates.

Sensitivity analysis

At 31 March 2023, it is estimated that a general increase/decrease of 100 (2022:100) basis points in interest rates, with all other variables held constant, would have increased The Ombudsman's surplus and accumulated funds by approximately $183,000 (2022: $222,000).

The sensitivity analysis above has been determined assuming that the change in interest rates had occurred at the end of the reporting period and had been applied to the financial instruments which expose The Ombudsman to interest rate risk at that date. The 100 basis points increase or decrease represents The Ombudsman's assessment of a reasonably possible change in interest rates over the period until the next annual reporting period. The analysis is performed on the same basis for 2022.

(d) 货币风险

申诉专员的所有交易均以港元计算，故不涉及任何货币风险。

(d) Currency risk

The Ombudsman has no exposure to currency risk as all of The Ombudsman's transactions are denominated in Hong Kong dollars.

13 金融风险管理及金融工具的公平价值（续）

(e) 公平价值衡量

申诉专员的金融工具以成本或摊销成本入帐的帐面金额，与其于2023年及2022年3月31日的公平价值并无重大差异。

13 Financial risk management and fair values of financial instruments (continued)

(e) Fair value measurement

The carrying amounts of The Ombudsman's financial instruments carried at cost or amortised cost were not materially different from their fair values at 31 March 2023 and 2022.

14 重大关联人士交易

涉及主要管理层人员的交易

主要管理层所有成员的酬金已在附注6披露。

14 Material related party transactions

Transactions with key management personnel

Remuneration of all members of key management personnel is disclosed in note 6.

15 截至2023年3月31日止年度已颁布但尚未生效的修订、新准则及诠释可能带来的影响

截至本财务报表刊发日期止，香港会计师公会已颁布多项修订及一项新准则，但在截至2023年3月31日止年度尚未生效，亦没有在本财务报表中采纳，当中包括以下可能与申诉专员相关的修订：

15 Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2023

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments and a new standard, which are not yet effective for the year ended 31 March 2023 and which have not been adopted in these financial statements. These developments include the following which may be relevant to The Ombudsman.

15 截至2023年3月31日止年度已颁布但尚未生效的修订、新准则及诠释可能带来的影响（续）

15 Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2023 (continued)

	于下列日期或之后开始的会计期间生效 Effective for accounting periods beginning on or after
《香港财务报告准则》第17号：*保险合约* HKFRS 17, *Insurance contracts*	2023年1月1日 1 January 2023
《香港会计准则》第1号之修订：*财务报表的呈列*及《香港财务报告准则》实务公告第2号之修订：*作出重要性的判断：会计政策的披露* Amendments to HKAS 1, *Presentation of financial statements* and HKFRS Practice Statement 2, *Making materiality judgements: Disclosure of accounting policies*	2023年1月1日 1 January 2023
《香港会计准则》第8号之修订：会计政策、会计估计的变动及错误：会计估计的定义 Amendments to HKAS 8, *Accounting policies, changes in accounting estimates and errors: Definition of accounting estimates*	2023年1月1日 1 January 2023
《香港会计准则》第12号之修订：*所得税：与单一交易产生的资产和负债有关的递延税* Amendments to HKAS 12, *Income Taxes: Deferred tax related to assets and liabilities arising from a single transaction*	2023年1月1日 1 January 2023
《香港会计准则》第1号之修订：*财务报表的呈列：负债分类为流动或非流动* Amendments to HKAS 1, *Presentation of financial statements: Classification of liabilities as current or non-current*	2024年1月1日 1 January 2024
《香港会计准则》第1号之修订：*财务报表的呈列：附带契诺的非流动负债* Amendments to HKAS 1, *Presentation of financial statements: Non-current liabilities with covenants*	2024年1月1日 1 January 2024
《香港财务报告准则》第16号之修订：*租赁：售后租回的租赁负债* Amendments to HKFRS 16, *Leases: Lease liability in a sale and leaseback*	2024年1月1日 1 January 2024

申诉专员现正评估该等修订及新准则于初次应用期间所造成的影响。至目前为止，申诉专员认为采纳该等修订及新准则不大可能会对本财务报表构成重大影响。

The Ombudsman is in the process of making an assessment of what the impact of these developments is expected to be in the period of initial application. So far The Ombudsman has concluded that the adoption of them is unlikely to have a significant impact on the financial statements.

投诉人约章
Complainants Charter

本署竭诚为市民提供优质服务。为充分履行职务，本署与投诉人订立以下约章：

We endeavour to provide a high standard of service to the public. In fully discharging our duties, this Office has drawn up the following Charter:

本署的承诺

- 专业、公正及有效率地处理投诉
- 适时知会投诉人查讯的进度及结果
- 清楚解释本署的决定
- 保障投诉人的私隐
- 对市民有礼及尊重

Our Commitment

- Handle complaints in a professional, impartial and efficient manner
- Keep complainants informed of the progress and outcome of our inquiries
- Explain our decisions clearly
- Protect complainants' privacy
- Treat the public with courtesy and respect

投诉人若不满意查讯结果，可来函本署及提出理据要求覆检个案。若对个别职员或服务有任何意见，可向本署总行政主任提出。本署会秉持专业公正的精神跟进个案。

Complainants not satisfied with our findings may write to this Office and state the grounds for a review of their cases. Any views on individual staff or our services may be directed to the Chief Manager of this Office. We will take follow-up action with professionalism and fairness.

投诉人的责任

- 清楚说明投诉事项
- 适时提供真确的资料（包括事件经过、可供核实其身份及确定联络方法的所需资料等）
- 配合查讯工作
- 以合理的态度提出投诉
- 对职员有礼及尊重

Complainants' Responsibilities

- State clearly the issues of complaint
- Provide true and accurate information (including an account of events, the required information for verification of their identity and determination of their traceability, etc.) in a timely manner
- Cooperate in our inquiries
- Lodge complaints in a reasonable manner
- Treat the staff with courtesy and respect

若投诉人未能配合，查讯进度及／或结果可能会受影响。届时本署会视乎实际情况，决定采取适当措施，包括根据所获得的证据作出判断，或终止查讯等。

If complainants are not cooperative, the progress and/or outcome of our inquiries may be affected. In such circumstances, we will take proper actions as appropriate, such as making our decision on the basis of available evidence or terminating the inquiry.

香港申诉专员公署
Office of The Ombudsman, Hong Kong

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